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Pacific Municipalities

A Monthly Review of Municipal Problems and Civic Improvements

OFFICIAL ORGAN OF THE LEAGUE OF CALIFORNIA MUNICIPALITIES



THE WAWONA TREE, A GIANT SEQUOIA IN THE MARIPOSA GROVE OF BIG TREES, THROUGH WHICH THE AUTOMOBILE ROAD PASSES.

LEADING ARTICLES IN THIS ISSUE

WHAT WE DO NOT KNOW ABOUT CITY PLANNING

By Carol Aronovici

HIGH LIGHTS FROM THE INTERNATIONAL CONFERENCE
ON CITY PLANNING—By G. Gordon Whitnall

THE BOULDER DAM IN ITS RELATION TO COLORADO RIVER
DEVELOPMENT—By Hon. S. C. Evans

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Pacific Municipalities

OFFICIAL ORGAN OF THE LEAGUE OF CALIFORNIA MUNICIPALITIES

Entered as second-class matter March 22, 1913, at the Post Office at San Francisco, California, under the Act of March 3, 1879.

VOL. XL TWENTY-EIGHTH YEAR No. 2

EDITORS H. A. MASON and WM. J. LOCKE
BUSINESS AND ADVERTISING MANAGER H. A. POSTLETHWAITE
Editorial and Business Office 707-721 Chancery Building, San Francisco

ADVERTISING RATES ON APPLICATION

Address all Communications to "PACIFIC MUNICIPALITIES," Chancery Bldg.
San Francisco, California

February, 1926

A. Carlisle & Co., Printers, San Francisco

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LEAGUE OF CALIFORNIA MUNICIPALITIES

Organized 1897

Affiliated with the Bureau of Municipal Reference, University of California

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Official Printers: A. Carlisle & Co., San Francisco

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Pacific Municipalities

OFFICIAL ORGAN OF THE LEAGUE OF CALIFORNIA MUNICIPALITIES

Entered as second-class matter March 22, 1913, at the Post Office at San Francisco, California,
under the act of March 3, 1879.

Notice of Special Meeting

A special meeting of the League of California Municipalities is hereby called and ordered to be held in the City of Fresno, on Saturday, March 6th, 1926, commencing at 1.30 o'clock P. M. sharp, in the Council Chamber of the City Hall of said city, to consider and determine what action should be taken by the cities and towns of California in relation to telephone rates. A full representation is earnestly requested.

Respectfully,

H. L. Moody,
President of the League of
California Municipalities.

Wm. J. Locke,
Executive Secretary.

YOSEMITE AS A MEETING PLACE

Members of the League of California Municipalities will find Yosemite National Park a unique meeting ground for the 1926 convention, judging by the experiences of other organizations which have "broken the ice" and convened in the mountains instead of cities. Yosemite's setting is one that lends itself readily to convention purposes.

For the benefit of those who have not yet visited the famous Valley, perhaps a word should be said about Yosemite's location. The Valley is but a small part of Yosemite National Park. Yosemite Valley is a compact little locality completely surrounded by mountain cliffs three thousand feet high. One can walk from one edge of Yosemite Valley to the other in fifteen minutes. To walk from one end of the inhabited part of the Valley to the other takes not very much longer.

The result is that everything in Yosemite Valley is near at hand. This is a feature that meets with the instant approval of managers of conventions. Delegates can be gathered in the convention hall on short notice. The distractions that lure them away in cities are absent in Yosemite. The scenic wonders of Yosemite Valley are visible

from the door of the convention hall, and intermissions for rest enable delegates to feast their eyes and fill their lungs and return refreshed without the waste of time.

This is an important factor in the management of a successful convention. A stimulating climate, mountain air, and the proper setting will help a convention to accomplish a prodigious amount of work in a remarkably short time. Then there is ample time for trips over Yosemite trails, or the recreation that enables the delegates to a convention in Yosemite to return to their homes refreshed and ready for work.

The favorable meeting place in Yosemite for large conventions such as that of the League of California Municipalities is the convention hall at Camp Curry. This pavilion has ample room for delegates and is airy and well located. Near by are the cabins in which delegates are housed, while the Camp Curry dining room is but a few steps away. The Camp Curry post office is not a hundred yards from the meeting place. The Yosemite Transportation System operates a bus service from Camp Curry to all parts of the Valley.

Camp Curry itself is a lodge located under the big trees with bungalows and tents in sufficient number to accommodate more than 1,300 guests. Three thousand feet above it towers Glacier Point, from which a firefall is pushed each evening, one of the most awe inspiring sights of the Sierras. At Camp Curry are all the conveniences needed for a large gathering, including a swimming pool, barber shop, studio, store, soda fountain and cafeteria. Each evening an unusually fine entertainment is provided around the campfire, followed by dancing at the pavilion.

(Continued on page 71)



Fishing is one of the favorite sports in Yosemite National Park

What We Do Not Know About City Planning

By CAROL ARONOVICI

An Address delivered before the Convention of the League of California Municipalities at Long Beach, California

**TUESDAY, SEPT. 29, 1925
2 P. M.**

Department of Engineers, Councilmen and Street Superintendents.

Vice-President WHEELER Presiding.

THE VICE-PRESIDENT: Owing to the congestion of the calendar this morning there were two numbers that were omitted. The next address will be by Mr. Carol Aronovici, of San Francisco. Mr. Aronovici is a man of a great deal of experience in this matter. He will talk to us on the subject of "What we do not know about Street Planning." I might say that we, in Los Angeles, have several times received exceedingly valuable suggestions from Mr. Aronovici.

MR. ARONOVICI: Mr. Chairman, and members of the League of California Municipalities: The Chairman, in introducing me, reminded me of an experience I had some time back in Rhode Island, when I was speaking before a Christian Endeavor Society. The Chairman, a lady, asked me what my name was. I instructed her on the subject, and then she wanted to know what my subject was, which I told her. But, by the time she had learned my subject, she had forgotten my name, and so she came out on the platform and said, "I believe we have with us this morning a gentleman who wants to say something."

Every time that I am asked to assist in the development of a street plan, I want to find out first, what I know about it, and in taking a census of my knowledge of the subject, I have discovered, unlike most engineers and city planners, that

we know very little about the subject of city planning. And when I volunteered to speak on the subject of street planning, I had in mind writing a paper, which I did, and I found it a very stupid job, and there is only one other job that is still more stupid, and that is listening to a paper. So I am going to try to talk extemporaneously, as far as I can, in discussing the subject of "What we do not know about Street Planning."

If you will look over the expenditures that have been made within the last year in the state of California, and throughout the United States, you will discover that, as far as the municipal revenue is concerned, or state revenue is concerned, there is probably more money consumed in the planning of streets than in any other activity of that character. Now, the question is, what rules, what laws, what principles do we follow in laying out certain definite streets? There are certain fundamental principles that we are all seeking, and which I hope some day that we will discover. So far, our street system is so complex, so ill adjusted to our new means of locomotion, that there is probably a waste of anywhere from a hundred and fifty million dollars to two hundred and fifty million dollars a year in time, and wear and tear on machinery, perhaps in wear and tear on our nerves, and certainly a very considerable amount of loss in human life and limb, simply because we have not devised the best kind of a street system that is necessary for our modern development. I would like to take up some of the things that the street is supposed to satisfy, or some of the things that a

street must meet, if it is to be an ideal or nearly ideal thoroughfare.

The first one is light, air and ventilation. Since we have had the automobile, we have forgotten that a street is just as much an avenue for sunshine and light and air, as it is for anything else, and we have failed to plan accordingly. The orientation of our streets, as to whether they run north and south or east and west is not regarded as a very important matter, and I want to say, right here, that very seldom do we consider the question as to the direction in which a street runs, unless it is merely a matter as to which end is to be on one side of the map, and which end is to be on the other side of the map, regardless of the various points of orientation. We all know that buildings, facing east and west are much sunnier, much more healthful, and get better ventilation than buildings facing north and south, and yet, very little of our planning work that is being done in planning streets, takes into consideration that particular subject.

The next matter with regard to the laying out of streets is the question of the amount of street area that we should devote to the particular uses of the community. If you begin to study the maps of various cities, you will discover, for example, that the city of Washington has 44% of its area in the center of the town devoted to street purposes. The city of Los Angeles, I think, has 21%, showing what a tremendous difference exists between the two cities. And I venture to say that none of the engineers in Los Angeles or Washington could tell us why there should be such a wide discrepancy, with twice as much space devoted to street area in Washington as in Los Angeles. Now, why should there be such a difference? In San Francisco, 33% is devoted to street area. But, if you go around Sutter and Geary and Market streets, you would not know

it. It is not only a matter of devoting a certain amount of street area to traffic purposes, but it is the creating of some kind of an adjustment and relationship between the amount devoted to buildings and the amount of area devoted to streets. But, I venture to say that we do not know what that particular amount of proportion should be, - whether it should be 44% or whether Los Angeles is right, after it has revised its traffic system, in devoting only 21% to street purposes.

Another important question with regard to the planning of streets is the matter of the size of blocks. If you go down to San Diego, you will find very small blocks, ranging all the way between 200 and 400 feet in length in either direction. On the other hand, you will find blocks, in San Francisco, that are as long as 800 feet. You will find an enormous discrepancy, ranging from 200 to 800 feet. There is no particular reason why there should be 200 foot blocks in one city and 800 foot blocks in the other city. What is the real standard for a block that we should accept as a standard in a modern community, considering that it has the automobile and other congestion of traffic to contend with? That subject certainly has not been studied, and I venture to say there is not an engineer in this room who can give us the answer.

And then there is the question of the depth of lots. What is a proper depth of lot? Some one talking this morning, I think it was Mr. Pomeroy, spoke about the real estate bootlegger who exists in such large numbers in various parts of the state, particularly below the California Mason and Dixon line. At least, that is what we were informed this morning. That is not personal, it is merely quoting. Why is an 80 ft. lot undesirable. Because, mentally, we have gotten accustomed to the idea that an

80 ft. lot is too shallow. Personally, I believe that the 80 ft. lot might be a good thing under certain conditions. I am not ready to lay that down as a rule, but I can see conditions where it would be, perhaps, advisable and acceptable.

Another question is with regard to the width of streets. Is a 50 ft. street a desirable street, or a 60 or a 200 ft. or a 500 ft. street? We do not know, but, when we get a little bit excited about the congestion of traffic, we talk about a hundred foot boulevard or a two hundred foot boulevard or a five hundred foot boulevard. Now, the fact remains that we do not know whether an eighty foot street is better than a sixty or a ninety or a two hundred foot street. We have never studied that question with regard to the advisability of arranging our streams of traffic in pairs of two or four or six or eight. Is it more difficult, for example, to drive a car in a stream of traffic which has six machines running abreast one way, and six running abreast another way, or is it easier to drive on a street which has only three machines running abreast each way? Do you have fewer accidents, do you move traffic more or less rapidly?

Then, with regard to an automobile itself, is it a question how fast an automobile can go, or within how short a distance it can stop?

Now, those are really important fundamental questions, and we have not been able to solve them. We talk about city planning, we have it before us, because we have created conditions by lack of foresight, by trying to be economical, conditions which now demand solution. But, all we are doing at the present time is merely endeavoring to correct a situation, because we cannot do otherwise. But, the real subject of street development has never been touched. We are

still laying out the same kinds of streets, with the same kinds of sidewalks, whether two or five or six feet in width. I find, around this part of the country, the sidewalks are five or six feet wide, and you hardly meet anybody on the sidewalks, they are all in automobiles. except down at Fifth and Broadway. But generally speaking, we do not know what standards to establish with regard to either sidewalks or streets. And that is a subject that is particularly interesting to me because I am constantly being asked whether a 50 ft. street is a proper standard or a 100 ft. or a 200 ft. street. And I venture to say that I am guessing when I reply that a wider street will be better than a narrower street. And I do not know that anybody else knows very much about it either.

So that what we really need is a very careful, very elaborate, and very scientific study of the conditions. If you begin to consider the waste in time and energy, in money, the damage that is being done to property and to human lives, I am not exaggerating, I think, when I say that there is at least anywhere from two hundred and fifty to three hundred million dollars worth of damage done every year, throughout the United States, because of lack of proper development of our arterial streets. Not necessarily that there are not enough of them, but they are not located in the proper place, and they are not of the proper width. I was making some mental calculations the other day as to what that really amounted to, say in ten years, and without necessarily standing back of the figures as absolutely accurate, I would say that the damage that is going to be done, the loss in time and property, the use of gasoline, the wear and tear on automobiles, and that sort of thing, in ten years, will probably amount to the debt of France to the United States. And I ask myself the question, whether

it is not better for the country, as a whole, which has a common problem—and I believe the automobile is a common problem at the present time, and the streets provisions are not common on the subject throughout the entire country—whether it would not be worth while to undertake a study that would be country-wide, rather than city-wide, regarding the necessity for establishing scientific standards of street widths, street intersections, building height, length and widths of blocks, so that, when we get through, we will know something about it, not only by obtaining information here and there, and perhaps eliminating some of the errors in a particular community, but by establishing some central organization, whether it be in the Department of the Interior, or whether it be connected with the Interstate Railroad Commission, or a special commission—because we love to have special commissions—under which this very important study and investigation can be carried out. Suppose it would cost say from five to ten million dollars to do that work, it would be less than one-fifth of one per cent. of the actual damage that is going to be done in the next ten years, if we do not relieve the situation as soon as possible. So that my plea is not to tell you to go ahead and do city planning, although that is important and city planners like to have that done, but I would like to see such a movement fostered by all the states. And I am sure that the Governor of the state of California, being so liberal with money and with new enterprises, will be perfectly willing to provide the money for a careful study of traffic in the state of California, a study of a scientific character, and by employing experts, and thus setting an example to the other states, through his liberality, so that finally all that work will be concentrated in one central bureau

or organization in the city of Washington, which, within the next three or four years, even at an expense of as much as ten million dollars will give to the communities, which are now groping in the dark, solutions for these traffic problems, of scientific accuracy, well digested information, based upon observation and experience and experimentation, solutions that they should easily and simply apply to their own community in developing the type of city that the automobile demands should be developed. (Applause.)

THE VICE-PRESIDENT: Are there any questions of a practical nature that any of the delegates would desire to ask Mr. Aronovici? Certainly we appreciate this statement from one who knows what he is talking about. The last speaker has been a delegate attending upon the meetings of this League for many years, and we have received many valuable suggestions at his hands. We appreciate his address.

Delegates, in calling this session to order, I might possibly have exceeded my prerogatives as a Vice-President of this organization, in the absence of Mr. Malcolm, the President. I overlooked the fact that this particular session is under the jurisdiction of the Department of Engineers, Councilmen and Street Superintendents. It was deemed wise, some time ago, in the meetings of this organization, to arrange it so that the various departments should organize under their own heads, as this department has done, and the Department of Clerks, Auditors and Assessors under their head, and so forth. I overlooked the fact that this particular session should be under the Chairmanship of the head of this department, and I apologize to you and I apologize to Mr. Popp, the chairman of this session, whom I will now introduce to you. He is the City Engineer of San Jose, and he will preside over the balance of this session.

High Lights from the International Conference on City Planning

By G. GORDON WHITNALL,
Director of City Planning, Los Angeles

(At this point Mr. Popp takes the chair.)

CHAIRMAN POPP: I understand that some of this morning's session ran over into the regular session of the Engineers, Councilmen and Street Superintendents this afternoon, and that the subject "High Lights from the International Conference on City Planning," is one that Mr. Gordon Whitnall, Director of City Planning of the City of Los Angeles, will address you on this afternoon.

MR. GORDON WHITNALL: Ladies and gentlemen, this is not the first time that I have been accused of being an engineer. I am enough of an engineer, however, to come in under the head of their program. And in what I have to say, I do not intend, in any respect, to give a technical talk, nor, in fact, to give you any original conclusions concerning the session that it was my privilege to attend this year in New York. I am rather going to attempt to summarize some of the conclusions that have been made on this platform during these sessions, and reconcile them, if you please, with some similar conclusions arrived at at the session of the International Planning Conference in April in New York. There is such a similarity between the conclusions as to be striking, and as to cause us to pause sufficiently long to wonder whether or not water does not run down hill in Los Angeles in exactly the same way and for exactly the same reasons that it does in Pekin, China. In other words, the reproductive proclivities of the Ford, as compared with those of the Rolls Royce, are affecting our local situation just as much as they are in New York. These things that we are pleased to look upon

as community problems, sometimes spoken of in terms of city planning, at other times in terms of sanitation, are, as a matter of fact, problems that are not so difficult if we ourselves do not make them so in our consideration of them.

Those of you who sat in at the opening session yesterday morning will recall a brief statement by our Secretary, Mr. Mason, in which he looked, with some degree of alarm, and yet with a degree also of optimism, at the mounting costs of government in cities. And he attempted, in a degree, to explain that phenomenon by outlining to us the increased variety of subjects that are today handled by the municipal governments, as compared to those that were handled some three or four decades ago. His concern seemed to be with the increase in taxation.

I mention that by way of review, for purposes that will reveal themselves in just a moment. You will recall also, at the afternoon session yesterday, the remarks by City Manager Nunn, of Santa Barbara, when he referred specifically to certain problems attaching to the heights of buildings, structural type of buildings, and their influence upon the community, especially from the standpoint of safety, physical safety to the individual, rather than community safety, which latter is the line upon which I wish to direct your attention.

Then, today, in his review of Mr. Gillespie's paper, Mr. Kennedy made direct reference to the estimated density of population here on the Pacific Coast, with some of the resultant problems that are almost certain to occur. And following him came Mr. McClintock in his admir-

able talk on traffic, in which he discussed that problem of traffic from A to Z.

There are, then, those four subjects that have already been touched upon at this conference, that I want you to bear constantly in mind when I relate to you what seemed to be the high lights, in the way of conclusions, resulting from the last international conference on city planning, and in fact, the first in which this country was privileged to be the host. The increasing cost of government, the density of population, the traffic problem, the question of the heights of buildings.

First, by way of introduction, may I state that this conference was unique in the history of the international session in its attendance. There were between five and six hundred registered delegates, coming from all points of the world, most, of course, from this country. But, out of that total attendance, there were more than one hundred foreign delegates. Among them were such prominent individuals as Ebenezer Howard, Doctor Schmitz from Germany, and others of like note from other countries. So that, when I attempt, in my limited way, to give to you certain conclusions that emanated from that conference, you are getting, not from me, but merely through me, so far as I can give it to you, the consensus of opinion of those who today are recognized as international authorities on certain types of municipal problems.

I think I can best introduce the salient thought that permeated all of these discussions by referring to a very expressive statement by Doctor Schmitz, whom I have already spoken of as coming from Germany, the Ruhr district, in which district he has had personal supervision of the planning of over three hundred different communities. He was relating the mental impression that he got, as he visited two cities in the East, Washington

and New York. He spoke first concerning Washington, and in referring to that city, which we modestly admit is our most beautiful city in America of any size, although in admitting it we do not also admit that it was designed by a Frenchman. Mr. Schmitz said that, when he looked upon that metropolis, he could not help but think that it was the result of a city built by the angels. And then he said a few days later, he went up to New York, and realized, without any question of a doubt, that that was the product of the devil. And it was concerning the problem resulting from the product of the devil, primarily, that all discussions centered. And we were rather criticised, of course in a very polite continental way, a way which they know so well how to express, for a feature of our cities which we look upon with a degree of pride, but which they look upon, and openly claim to be one of the greatest evidences of guilt that any country is possessed of, namely our excessively tall buildings. They did not stop, however, at criticising them. They went on to relate wherein those conditions resulted in problems to the community, which, at this moment, are almost invaluable. That brings me, then, to the crux of the whole situation. You know, we have been prone here in America to attach importance and to classify cities in the order of their size and in the order of their population. In proportion to the population of the city, we have been prone to assume that that city was also good. And, maybe, we were not entirely unjustified in that conclusion, when we recognize that apparently natural phenomenon of mass attracting mass.

So, confining our attention for the moment, to the city of New York, where you have such a great metropolitan mass, it is only reasonable to expect that you will find within it an attractive power to individuals throughout the country and

the world. And, in fact, that has been the case so far as individuals are concerned, up to a certain point. But, so far as the attractive power of certain businesses are concerned, the phenomenon of attraction of New York has, for some time been passed, and that great metropolis is now undergoing the opposite phenomenon of causing a repulsion, so that the city of New York, from an industrial standpoint, at this moment, is going through the process of disintegration as compared to the antithesis of that phenomenon here in Los Angeles, or the bay district up north, the process of integration through the absorption into our large California of new activities and enterprises from the outside.

Just what do I mean by that, and what was meant by the presentation of these facts to the delegates? It was pointed out, in concrete form, in this manner: An industry, without naming it, an industry of considerable proportions, employing vast numbers of people, turning out a tremendous volume of finished product, found that, by reason of the density, whether you call it population density, whether you call it traffic density on the streets, on the railroads, or on the rivers, or on the ocean lanes leading into the ports, that very fact of density has interlarded the industry, in that the difficulties of bringing into the industry the raw materials, of getting to the industry the human help, and getting rid of them at the end of the day, and, finally, of distributing the finished product to the four quarters of the globe, has become so difficult, and has been the cause of such delay as to place such an industry at a disadvantage in comparison with similar industries on the outside, with the result that not once but many times industries that people had assumed had become permanent in the New York districts, have picked up, bag and baggage, and moved out to areas up-state and in the

surrounding states, where the larger of those industries have become nuclei around which, in each case, a new community has been established. So that New York has, in fact, from an industrial standpoint, and more and more now from a commercial standpoint, begun to experience this rather unique phenomenon of being a repulsive force rather than an attractive one.

All of which comes to this conclusion: That there is a limit to the size and to the density of a community, from the standpoint of its efficient functioning, and from the standpoint of its economic functioning. That means, if that conclusion is true, that the day of the big city as a desirable asset—for the big city, doubtless, will never be annihilated—but the day of the big city as being the most desirable place of habitation and place for doing business is now becoming recognized as the most undesirable, which, in turn, brings about the opposite conclusion, that the day of the small community has come, and that the small community is the ideal place, and has now been demonstrated as the most efficient and the most economical place in which to live and to do business.

What then are some of the processes of reasoning that have brought about this rather interesting conclusion? I want just in a moment to trace the experience of New York, and although you individually may not have thought of it in the terms that I will present it, I am sure that it will, after having been presented to you, become very obvious. It is not necessary that you be personally acquainted on the ground with New York to appreciate its rather peculiar physical characteristics. Speaking for the moment now of that portion of greater New York known as the Borough of Manhattan, on Manhattan island. Geographically, this island is somewhat rectangular in shape, very narrow east to

west, very long north to south. That portion of present New York constitutes one of the few municipalities in this country that was laid out in advance but, unlike the city of Washington, it was not laid out in accordance with the best practice. I have already mentioned the fact that the long dimension is from north to south and the short one from east to west. Notwithstanding that, on the thoroughfares leading from north to south, over which it might reasonably be expected the greater volume of traffic will accumulate and flow, have long intervals between each other, whereas the streets laid out in the short dimension, east and west, appear to be every few feet. That produced a peculiar phenomenon in the normal process of development of this modern Frankenstein creature of a city that we speak of as New York, in that it was at the lower end of this island where the commercial development first occurred in any consequence, resulting in density of population, and that, in turn, became the center of gravity. The population, as time went on, not being able to reside at this commercial center, began to go farther up the island, and in the tidal flow, in and out, they monopolized these long streets, spaced at long intervals apart, until this happened: when the area of the business district which could not expand laterally because of the limitations of the island became insufficient to meet the needs, it was perfectly logical that the expansion should be in the only direction possible and that was upward. And when you introduce a third element, not alone now the dimension of width or the dimension of length, but when you have introduced with those two dimensions the dimension of depth—and here is where I qualify for an engineer—when you introduce the element of depth, you create cubic capacity. Now this cubic capacity of the business district at lower Manhattan created in turn an absorption

of power for the humanity that it could suck in during the day and that it could disgorge during the night, back and forth with the tidal movement of the day. And when that absorption power attempted to bring more people down to that area than could conveniently come down over the surface along these few streets, it was perfectly logical that both the physical and the economic pressure became such as to virtually lift the streets up to a second level, and thus we had the inception of what we now speak of as the "elevated" systems. With the advent of the elevated systems, with the increased life blood that flowed into this plant developing at the bottom of the island, its growth was continued apace, and it continued to go up with an increased cubic capacity that made an increase, and, in turn, a greater demand upon the flow up and down of the two levels streets, and when, in turn, the capacity exceeded the ability of these two levels streets to fill and to empty again, this process of physical pressure and economic pressure this time forced tubes under the ground, up the length of the island, across the East River, and across the Hudson to Jersey. And then with that development came an inflow of new life blood and sap that again caused the community down there to continue to go up in the air. And now it is checkmated, it can go no farther. And too late New York learned that there was a limit beyond which building heights and building bulks constituted, not an asset but a direct personal community liability. That is reflected in the problem of traffic congestion that we have heard discussed, that is reflected in the problem of increased taxation that we have heard discussed, that is reflected in the cost of rebuilding that Mr. Pomeroy has discussed, that you have heard, and will continue to hear, reflected in the discussion of all types of municipal problems. In other

words, we have gotten now to a recognition of the fact that, when you are dealing with a community, you must, in fact, deal with more than what you merely see on a map because that but gives you the length and the breadth, that your density of population, that your density of traffic, that your delay and your expense comes not so much because of the breadth and the length alone, but in direct proportion that you add to those dimensions the dimension of depth. Then you create your cubic capacity, and then you develop that condition of population density which it is, or ought to be, the primary purpose of every community to regulate to a minimum.

Just what do I mean by that? Under recent surveys that have been made in this district recently in the Los Angeles center itself, we discovered, for the first time in our history exactly what our population density is. We find that, within a radius of the first mile from the center of the city, our population density is 35 to the acre; that within the radius of the second mile it is 25; then in the third mile it is 20 and in the fourth 15, and the average over all is 10, as compared to New York where the maximum density now per acre is over 900, with an average over all of Manhattan Island of 164 as against our average, in the center mile, of 35. There you find the outstanding difference between the eastern community and the present western community—I emphasize “the present” because, physically, there is nothing that prevents us from duplicating exactly what they have done there, other than our good judgment, if we see fit to employ it, good judgment, not only from the standpoint of community welfare, but good judgment in the form of common sense when applied to personal community safety, by reason of this factor, which is not very active the other side of the Rockies, by reason of our periods of

unusual real estate activity that some of us call “earthquakes” and others call “fire.” There is a very real reason there, as well as this community reason, that should cause us to do all that is possible in order to encourage the distribution of our population, to the end that there shall be, at no points, any undue concentration that will make for unhealthy social conditions, unhealthy personal and physical conditions, unhealthy economic conditions, and all of the other attendant ills that go with it.

One last concluding thought, merely by way of amplification of what I have already said: and that I will give in the case of my own city, which happens to be Los Angeles, not in the way of criticism because what we are experiencing there has been experienced probably by every city of any consequence, after it reaches a certain size. Doctor Aronovici—and notice I got that front end front—has already made reference to the question of the relative width of streets, what they should properly constitute, or rather, he merely asked the question, what they should properly be, and he does not hazard a guess.

The second great outstanding conclusion that stands out to me, as I visualize these discussions—and it stands out very plainly—is this statement: that the mere width and breadth of streets in a city is meaningless, unless you consider, in connection with those factors, the average height of your buildings. And how perfectly obvious that must be to anybody who can take two and two and get not five or three but four. You might just as well in our case—and this is my final example—consider our particular downtown district, or that of San Diego or San Francisco or Oakland or Podunk or Chicago or New York, you might just as well consider the downtown district, with its tall buildings, as a receptacle, in the nature of a cistern,

that has a certain capacity, into which certain pipes which we now call streets, throughout a certain period of the business day, flow in and pour their contents, in order to fill that receptacle, and at the end of the business day they attempt, in reverse order, to drain that receptacle. And when you reach that certain capacity that taxes these streets to the limit, you are not going to increase the capacity of those streets by merely increasing the capacity of the receptacle. And yet that practice is the one that we American cities, as a rule, have followed. What is the direct results? Without analyzing it first, but doing that last, we have a phenomenon that is almost peculiar to American cities, that we speak of as the "shifting of the business center." Have you ever heard of it or have you ever seen it? Those of you who do not happen to reside in Los Angeles and have not observed that phenomena, come to our city and let some of us show you the places where the center of the so-called city has been located in past decades. Nobody knows exactly where it is today, but there is a reason for that shifting, other than the mere reason of the city turning upon an axis. The reason for that shifting is merely one of physics, and it is illustrated in this form; let us assume a city square that is set with streets from two directions of a certain width, streets that are capable of bringing a certain volume of traffic to this certain square, within a given time, and they can bring no more. A certain building of what we term a limit height is erected over a considerable portion of this square, and we find, in fact, that the cubic capacity or absorption power now of this building taxes to capacity the adjoining streets, taxes them to their limit. A second owner of property desires, in the course of a few months, to erect a new building, and he finds, perchance, by survey, that it is rather

difficult now to get to this first building because of traffic congestion incident to the traffic that is attracted by this one building. And he does the perfectly obvious thing, instead of building to the limit height next to the existing building, he determines the direction from whence comes the greater traffic flow and buying power, and he locates just beyond, in the direction of that flow and buying power. And the first thing you know you have created a new ring, a new circumference of the business district that meets the buying power coming in, and to the degree that intercepts that buying power and its arteries, so that it becomes impossible for people to get behind it, you have begun the creation of a decadent district, not that the improvements were not just as good as these that were put up more recently, but they are less accessible. And then when the next building period comes, the new buildings are put up in a territory just beyond, and you repeat the process and your second district begins going down the path.

Now comes your community consideration. I am not interested, for the moment, in decreased property values or in the losses of an individual group, but I am interested in the community loss that we all pay. Many of you city officials at this meeting are engineers. I ask you now, as engineers, to design a sanitation system and a storm drainage system for a town, based, as to its capacity, upon the present contribution to that system, as is determined by the existing uses of property. And beyond that, you have nothing to compute. You design your main artery, connecting the central district of your system to your main outfall in a certain direction. But you no sooner have it completed than that particular drain upon your system is reduced to a minimum, and a new center

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The Paving Program of the City of Long Beach

By A. J. VAN ALSTYNE, City Engineer, Long Beach

THE CHAIRMAN: We will proceed now with the program. Mr. Van Alstyne, city engineer of Long Beach, will speak to us on the subject "The Paving Program of the City of Long Beach."

MR. VAN ALSTYNE: Members of the League of California Municipalities. I am very glad you have had this little intermission. I think you have all needed it. The program has happened to be rather lengthy thus far.

I will call your attention, first, to the map which I have hanging on the wall here before you. I am afraid it is rather difficult to see from the far parts of the room.

The City of Long Beach, as shown on the map is about seven miles north and south and about seven miles east and west. It is so situated that access to it by its boulevards is from three directions only, as it has the Pacific Ocean on the south. About four years ago, in 1921, when Long Beach discarded the Commission form of government for the City Manager form, the first program of boulevards began to be laid out. At that time a survey of the existing roads giving access to the city showed that we had, from the north, one boulevard leading to Los Angeles, with a paved strip about 24 feet in width. To the west we had one road leading to Los Angeles harbor with the pavement 24 feet in width. To the east we had Anaheim street with a narrow pavement leading into Orange County. The traffic conditions at that time made it anything but a pleasure to try to drive to or from the city on a Sunday or a holiday. This study of existing road facilities showed the necessity of a comprehensive boulevard scheme for the city of

Long Beach and vicinity. The program that you see laid out on the map now was laid out after a number of conferences with the County Planning Commission which was formed about that time. In general we attempted to have a 100 foot street at intervals of one mile, and secondary streets of 80 feet in width every half mile. It was very easy to lay out such arteries upon the map but very difficult to obtain rights of way and to have the streets graded and surfaced, or, in some cases, paved. The rights of way sometimes were obtained by condemnation. This is done as a last resort where it is impossible to obtain deeds. In order to obtain deeds for rights of way, we have had the help of interested property owners along the boulevards to be opened. We have had the help of the Chamber of Commerce through its highway committee. We are, at present, in the process of opening Atlantic Avenue to be a street 80 feet in width, connecting Long Beach with Pasadena. Deeds for the opening of this street have been obtained, largely through the aid of interested property owners giving their own time for the benefit of the city and the adjacent country.

About two years ago, when subdivision activity was very marked in the vicinity of Long Beach, it became necessary for us to control the location and width of streets as new subdivisions were placed upon record. In order to do this, an agreement was made with the County Planning Commission that certain streets of certain widths would be located as shown on this map. In order to get further authority for controlling these subdivisions, a map was made and presented to the City Council of Long

Beach. This map was adopted, controlling the streets.

Having laid an adequate system of streets in an east and west direction, and also in a northerly direction, and having the obtaining of rights of way commenced, the next step was to decide on the proper type and thickness of pavement to be used for our main boulevard, for the boulevards in the county and also extending through the city, connecting up with the state and county highways. We have decided upon, and have been using, for the last four years, a number of standard pavements. For main boulevards connecting with main highways which will be subject to heavy trucking, we are using ten inch pavements. I do not know of any other city, at the present time, using pavements as heavy as this. For secondary through streets, we are using eight inch pavements, thickened at the sides, where curbs are not constructed, to ten inches. For residence streets of minor importance, we are using six inch pavements. And in a few of the outlying sections where property values are not high a few four inch pavements. Our ten inch pavements consist of ten inch plain concrete and, in some cases, eight inches of concrete with a two inch black wearing surface. Our eight inch pavements have consisted of, in some cases, eight inches of concrete and in other cases of six inches of concrete, with a two inch wearing surface, doing away with the binder course sometimes used. In the six inch pavement for residence streets, we have used plain concrete or asphaltic concrete.

During the last four years we have completed about 39 miles of paving within the city limits and have been instrumental in obtaining rights of way through the county, and doing what we could to have pavements laid upon these rights of way. During the past four years also subdivision activity has been indicated

by the amount of curb and walks constructed. About 90 miles of curb and walk have been completed, in the city of Long Beach, in the last four years.

The paving program has cost, to date, about three and a half million dollars within the city limits. We now have under contract, since the first of this fiscal year beginning July the first, nine miles of additional paving at a total cost of \$850,000, bringing our total paving program, for the last four years, up to a total of \$4,300,000. I would like to say that the success of our paving program to date has been largely due to the cooperation of our city council in backing up the program that has been laid out. A blanket order was passed, directing the engineering department to proceed with paving for all of the main boulevards within the city without petition. Our residence streets and other pavements of less importance are still all initiated by petitions. Through the courtesy of Messrs. Levitt & Cine Picture Company we have prepared moving pictures of some of our streets under construction and also some recently completed.

(At this point Mr. Van Alstyne shows moving pictures of the paving of streets in Long Beach.)

I will just add, in closing, that, in spite of the rather dull times financially, Long Beach has a paving program which, right now, is at its peak. We have had under contract, in the last few months, as much paving as we have completed in any one previous year. And this program is being handled through the cooperation of the citizens of Long Beach and the City Council, as well as the Engineering Department, and I believe that the present prices of paving that we are obtaining is largely influential in keeping up the program. I have looked up recently the highest and lowest price, during the past four years. For six inch paving, at the peak, we were paying

27 cents. Our recent price is 17½ cents for six inch paving. For eight inch paving, two years ago, we were paying 30 cents. Our present prices average 24 and 24½. For ten inch paving, which

I think is rather unique in the city of Long Beach, our paving prices have ranged from 54 cents three years ago to 29½ cents on our last contract. I thank you. (Applause.)

DISCUSSION ON THE SUBJECT OF PATENT PAVEMENTS

At this time representatives of various types of pavements will be given an opportunity to speak. I have first the name of George Warren who wishes to speak on the evolution of concrete and asphalt pavements.

MR. GEORGE WARREN: Mr. Chairman, it is always a pleasure to meet with a body such as this. I believe it is about twelve years since I last had the pleasure of meeting with the League of California Municipalities, and that was at your convention held in Santa Barbara. About that time, in connection with road construction as well as city streets, it had been proven that the Portland cement concrete foundation, or a bituminous pavement, under ordinary sub-soil conditions and reasonably good drainage conditions was ample, in proportion of one part of cement, three of sand and six of broken stone, to a depth of from four to six inches. At that period your League, as well as similar bodies throughout the country, was grappling with the question as to whether or not a road of Portland cement, concrete, without a surface, could be laid, and should be laid, as thin and of as small proportions of cement, with a Portland cement concrete foundation, for an adequate wearing surface. Your State Highway Commission at that time had taken the point of view, as a matter of economy, that in their judgment such a pavement or such a road, without a surface, but with the same depth of foundation and the same proportions was adequate for a road. You gentlemen

know as well as I how many millions of dollars that false economy has cost your state. Now twelve years later, with that same experience extended throughout another twelve year period as to what is adequate for a foundation for a pavement, the tables have completely turned about, and the municipalities, under that same influential propaganda are grappling with the question of whether or not the foundation for an adequate wearing surface should be as great as it is on a road which, as has been proven by experience, should be adopted where there is no pavement.

Mr. Chairman, that is by way of introduction. I am afraid that there is a little understanding between me and your program. I came here quite unexpectedly, and when I was asked, about midnight last evening, if I would appear before you today, it was suggested that I speak to you on the subject of "The Evolution of Bituminous Pavement," and I have endeavored to give some little thought to that subject, but, with apologies for somewhat varying from what I understand is in your program, I will take the liberty of speaking to you for a few minutes.

(At this time Vice-President Wheeler takes the chair.)

It may be said that the evolution of the process of bituminous pavement began about 80 years ago, when my father and his four brothers began the manufacture of bituminous cement for the purpose of a then newly invented roofing material

manufactured from coal tar and pine tar. That, gentlemen, is the beginning of the evolution of what is today your modern bituminous pavements of all classes. That started in the city of Cincinnati in 1845. It quickly spread into the then largest cities in the country of St. Louis, Louisville, New York, Philadelphia, and, a little later, Boston. Bear in mind that was at a period when California was a wilderness of mountains and forests, before the gold days, and before there was any American population here. Just to show you how far back it was, a young clergyman living in the city of Cincinnati, whose health had given out, and who was told by his physician that he had to give up his clerical work and get into out of door life, was told by one of my uncles, "Why don't you take up the same line of business we are starting here? I will lend you the necessary tools. I would suggest that you go up to Chicago because there is what I believe is going to be a thriving town." There, gentlemen, is your development of 80 years.

The actual paving with bituminous products began during the reconstruction period of the city of Washington about 1865, and ran through the next ten years. There were at that time about a dozen types of pavements, some reasonable in method, others with no reason whatever, adding into a mixture of bituminous material and minerals such materials as sawdust, another one rock, another one sulphur, another quicklime, and another one hydrated lime and so on down the line. And they were all flourishing with more or less success. About that same period, as you remember, the oil industry began to loom up. I mention that because oil and asphalt run along the same lines, although it was not until about twenty years ago that fact was realized—perhaps twenty-five years ago.

Mr. Downer, at that time a distiller of

oil in a small way in the city of Boston, had visited the island of Trinidad. He passed over that 100 acres of asphalt which had formed in the crater of an old volcano, but that was of no more than passing interest to him. He went back on the side of the crater and bored for oil. He expended a hundred thousand dollars, which was a lot of money in those days, and did not strike the oil. He had faith in the belief that, where bituminous materials were found on the surface, oil is down below, if you can strike it. And it was about 60 years after that that the owners of the Trinidad asphalt lake found that oil at the place where Downer had been trying to find it 60 years before. And wherever you find, as you all know, exhibitions of bituminous materials on the surface, oil is down below there somewhere, if you can only find it.

Now, coming down to the year 1876 in the city of Washington, Pennsylvania Avenue was paved with Trinidad asphalt, practically the same as the standard asphalt pavement of today, the difference being merely that now it has been found desirable, ordinarily, to put a binder course between the foundation and the wearing surface. At that time they used what they called a "cushion post" of soft asphalt and sand. And that is the only important difference in the asphalt pavement on Pennsylvania Avenue, laid in 1876 and the asphalt pavement of today.

Coming down to California: in the winter of 1884 and 1885 one of my brothers was detailed and directed, by the Barber Asphalt Paving Company, of which he was then General Superintendent, to proceed to California and see what there was to the rumors which were beginning to come east of asphalt in California. First, to determine whether or not California had a product to which they could turn part of their general business, whether there was a product here that was going to be a menace to

their business, and whether it could form a basis for the production of asphalt pavements in California to which they were beginning to turn their eyes. My brother reported what, undoubtedly, in the light of those times, was an intelligent report, that there was nothing to be afraid of, nothing could be produced here, and if they did do any business in California, they would have to bring the material from Trinidad because the only evidence of anything like asphalt was in a few places like Carpentier where there was an oil saturated sand, and, occasionally, little rivulets of oil or thin asphalt coming out from that sand, and an occasional pool of asphalt—nothing of any consequence. A few years later your oil industry began, and even at that time your oil producers did not realize that the base of that oil was the very best asphalt that this world has ever produced and probably will ever produce, the best and most durable.

In the year 1899, another of my brothers came to California, the late Frederick Warren, and he, upon seeing your crude oil, of which you had then a little being produced in Bakersfield and some in Los Angeles, said that he believed that that was the base for a high grade asphalt. He took some of that oil and put it through the laboratory and came to that conclusion. About two years later, in the year 1901, I came here to see what I could find. And I discovered that all of the then small oil producers were getting next to nothing for their oil, that most of their wells were capped, and having heard that the oil carried asphalt, the producers all desired to put in refineries. I said, I do not care to put any money of mine or anybody else's money that I could borrow into the business at that time, under those conditions, because the prices were too low. There is the beginning of your oil industry and your asphalt industry which

today amounts to hundreds of thousands of tons in California.

Up to that time, the production of asphalt in California was along this line: in Carpentier the then Alcatraz Asphalt Company were taking this oil from Carpentier, very soft, and taking a harder rock asphalt from another place, mixing with it some of the crude oil, melting it in pans at Carpentier, skimming off the asphalt, and thereby getting an asphalt which had about 70 per cent pitch, ignoring the fact that all they had to do was to take the oil, which was then beginning to be produced, put it in a still, draw off the light oil and then they had pure asphalt. A little later, in the northern part of the state, they found a supply of this saturated sand. They actually pumped distillate up to the top of that hill, spent half a million dollars in piping it up there to extract the asphalt from that sand, sent it down in pipes to the seaboard, re-distilled off the light oil, and sent the asphalt that was left back. They still did not appreciate that the very oil contained the asphalt they wanted. Near Bakersfield, and at Summerland there were little pools of asphalt. A little concern there, more progressive than most of them, dug up the liquid asphalt out of these pools and put it in a still. Another concern, finding a mine of asphalt at McKittrick, near a station they called Asphalto, mined into the hill like they would mine for coal, brought out the hard asphalt, and then went over to Summerland, about twenty miles away, and hauled this liquid material up to Asphalto, a distance of twenty miles for softening that asphalt. They thus produced a material which they shipped east. But, again, it was not until the year 1901 that the oil producers themselves realized that they had the greatest prize in this world in their possible asphalt production. And that present

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The Boulder Dam in Its Relation to Colorado River Development

By HON. S. C. EVANS, Mayor of Riverside

FIFTH SESSION

WEDNESDAY, SEPT. 30, 1925

9:30 o'clock A. M.

ENTIRE BODY

VICE-PRESIDENT WHEELER Presiding.

(Secretary Locke made the announcements.)

THE VICE-PRESIDENT: You delegates who do not live in this immediate vicinity are not aware, possibly, of the intense interest that is manifested in this section of the state over the proposed Boulder Dam and the good things that will come with its erection. Recently, I took a trip up through Nevada and over to the Boulder Dam, and there saw that marvelous place, provided by nature, which should be used for the benefit of all mankind, and not for the benefit of any private corporation. We are striving to have the Dam erected at that point so that it will be a great help and a very constructive thing. With the completion of the Boulder Dam, hundreds of those mines that are not being worked now at present would be set in operation. The water thus impounded would be used to irrigate vast areas of land that are now desert, and the desert would, indeed, bloom as the rose. We are temporarily blocked by people who have a different idea from that which I have just expressed.

The next paper will be by the Hon. S. C. Evans, Mayor of Riverside, who is entirely competent to speak on that subject, "Boulder Dam in its Relation to Colorado River Development."

HON. S. C. EVANS: Now, Mr. Chairman and gentlemen, if any of you would like to see this map, and would like to come forward where you can see it, I

think you would understand the explanation very much better than to just listen to what I have to say. This is a pretty big subject, men, and I want to make it as brief as possible, and give you the high lights upon it, for the reason that, to give a comprehensive survey of the development of the Colorado River, and the projects that our Government has undertaken for many, many years, would take altogether too long a time to occupy at this meeting.

I represent the Boulder Dam Association, an organization composed of something over 200 membership, of cities, Boards of Supervisors, and a great many Chambers of Commerce.

This map is a copy of a map that hangs in the committee room at Washington, before which all the hearings, for the last three years, have been held. It was made for our organization in the reclamation service office. It represents the tributaries of the Colorado River in the seven states affected. This outer line represents the drainage area of the Colorado River, 144,000 square miles. It shows those portions of the seven states that are within the drainage area of this river, and you will observe that all of the state of Arizona, with the exception of one little corner down here seemingly is in that area. In the other states only a portion, and in California a relatively small portion. The Colorado River is the largest, by all odds, remaining asset undeveloped that the United States Government possesses. It is the largest asset for potential good and also for actual destruction. It is the endeavor of the people working for this plan to make the benefits of the greatest value to our communities and the whole south-

west, and to minimize the destructive qualities of this river.

Now, in order to give you a bird's eye view of what this is all about, I might say that, for many years, our Government has been investigating various dam sites upon the Colorado River, through various branches of our Government; by the power Commission itself just for power, and without any relation to reclamation, then by the reclamation service for reclamation primarily, and for the incidental things that come with it, irrigation, storage of water and power, and by the Geological Department also—especially by those three Departments. So that, out of their reports, some people have seemed to find a difference in their view points. That difference only comes, however, in relation to the particular study that each department gives to the various governmental problems.

Approximately four years ago a body of men met in the City of Santa Ana. Up to that time no organized effort had been made, by any group of people in California, to present to Congress any unified bill for immediate development. And out of that meeting in Santa Ana a number of cities and individuals contributed, and a committee went to Washington. After they came back, there was a meeting held in the city of Fullerton, in Orange County, and there was organized this Boulder Dam Association which has now grown to some reasonable proportions. After the meeting is over, if any of you would like a list of the membership and also a copy of the last circular letter that we have gotten out, I will be glad to give you that list, and I have some copies here that I will be glad to distribute to you.

Now, this question comes up primarily, because this river is on the public domain, and on account of the destruction that it causes in Imperial County. Imperial County, as you doubtless all know, is below sea level, and a number of times

this river has gone on a rampage, large amounts of property have been destroyed, and a great deal of the property of some fifty or sixty thousand people has been in jeopardy constantly on account of the heavy floods that come down the river, and the tremendous amount of silt that these floods carry. So that the Government recognized its obligation and duty for reclamation upon this river, the same as it does upon the Mississippi or other rivers. And out of all that, not to weary you with the reports that went in before, there was presented, to the Congress of the United States, approximately three years ago a report of the Interior Department known as Senate Document 142. And the present legislation before Congress, known as the Swing-Johnson Bill, seeks to carry into legislative action, by that appropriate and ordinary method of legislative procedure that all bills undergo at Washington, Senate Document 142. That Document, of course, does not contain any particular ideas that Mr. Johnson or Mr. Swing might entertain personally, on the development of the Colorado River. Now, in making these statements to you, I am going to endeavor to be absolutely accurate. I base them on the reports made in Government documents, copies of which can be furnished to any people that are particularly interested. And if any of my statements seem to be inaccurate, after the meeting is over I will be very glad to explain them to you.

When the great flood took place in the Imperial Valley, at the time that the Southern Pacific Railroad and Theodore Roosevelt came to the rescue and stopped it, that was the first great evidence of the absolute potentiality for destruction that this river possessed in Imperial County. Now it is useless for me to go into a eulogy of the ability of Imperial County to produce food as a granary, for all of this part of the country, and of the desirability of protecting that

county against damage from flood. When the ditches were first dug there, they were just like all our irrigation projects. Last year I stood upon the hood of quite a large automobile and could not look over the dome of a huge pile of silt that had been shoveled out from those ditches. It costs the Imperial Valley, that is the Imperial Valley Irrigation district and the individuals there, somewhere in the neighborhood of two million dollars a year to take the silt out of their ditches. It is becoming a menace. They cannot pile it on the public highway. They cannot spread it on the land above. So what to do with it is now a problem. The wise and economic thing to do, it seems to me, would be to spread that silt up the river and keep it from coming down on to these lands. There is more silt comes down the Colorado River, every year, than we excavated out of the Panama Canal.

Now, why do we have to go to the United States Government at all? It is because this river is upon the public domain. The Government does not recognize the right of municipalities to come to it and ask it to build dams for the production of power. This organization, or no other group of men in southern California, or elsewhere as far as I know, ever have or ever intend to ask the Government to go into business. At Washington, about three years ago, we had a brief visit at the White House with President Harding. And I remember hearing him say something like this—and Mr. Hoover and Mr. Fall had been quite helpful when Senate Document 142 was presented to Congress—and President Harding said this: "If my officers can devise some method of finance by which this dam could be built, I would consider it one of the biggest things that mine or any other Administration could do."

Now, when that Document was returned, there was a letter attached to it

outlining the present system of finance. It was not presented by the group of people, it was presented by the Government itself. Mr. Hoover contended, and I think properly so, that agriculture could not stand this expense, that there was one thing that could stand the expense, and that was an incident to the development, namely, power, and that there was an area within an economic distribution distance of this dam that could utilize that power, and was rich enough to pay for it, and could take the power immediately and finance the proposition, namely, this section of the country in which we live, Los Angeles and radiating out say fifty or sixty miles from it.

Now, many sites have been advocated upon the river for the first unit of development. For instance, we had Glen Canyon. Some people advocate that. Now on the map, here is the Grand Canyon of the Colorado. (Indicating.) Now we advocate Boulder Dam at this location, on the line between Arizona and Nevada, and we do it for this particular reason: When we speak of "Boulder Dam" we mean actually the Boulder Dam location or Black Canyon. They are twenty miles apart, with practically the same kind of geological formation. And we do it for the reason that the United States Engineers, the officials of the Reclamation Service, and the testimony given by those who are familiar with the river, and the representatives of the private power companies who have filings up and down the river for more power than exists on the river, favor the Boulder Dam location for the generation of power, primarily. We favor it for reclamation, primarily for this reason: That, in order to do away with the silt, you have got to find a place as far down the river as possible, the farthest practical place down the river that will handle the majority of the large streams carrying silt. And that means the Boulder Dam or Black Canyon location.

If you go up to these other locations, they are more primarily power locations than they are reclamation silt deposit locations. This is the farthest point down the river that will take in the streams carrying silt. It will take and spread all the silt that comes down the river and be able to handle it for a period of about three hundred years. That is long enough for me to think about. It will take and store all the water that comes down the river for about three years, if necessary, and that is about long enough for me to think of.

Now, we expect to make that dam, say, 550 to 600 feet in height, and it will generate a constant horsepower of about 600,000. It is very difficult for some of the eastern Senators and Representatives to understand that we, out on this western coast, have manufacturing industries and pumps and other constant horsepower possibilities that would absorb that mass of power. One man said, "Why, what will you do with 600,000 horsepower, where would you sell it even if you had it?" And one of the city councilmen of Los Angeles was there and he arose and said, "Why, we could take 600,000 horsepower in Los Angeles alone, and be tickled to death to get it, only that we feel that these other communities outside should have their fair portion of it, if they can finance their proportion; 600,000 horsepower, brought into southern California, would be consumed as fast as this dam could be built and brought in. Then other units up the river could be developed by other people for power purposes, primarily."

Now then, we have been back to Washington three times. It costs money to go back there. It is necessary to take ten or twelve men back. The question has been asked, "Why do you have to go back at all? Why do you have your Representatives there and your Senators?" It is necessary for us to go back for this reason: That, no matter how

able the Senator or Representative is, Congressional committees, just like any other body of men who are human, are impressed by the interest that is shown in any project presented to them. There are other people there before Congress, hundreds of them, asking for all kinds of advancements of money by the Government, interested in all sorts of problems. This is not the only project that this committee has to deal with. There is the Muscle Shoals project, and lots of other projects that are presented to them for consideration. They say to Representative Swing or to Senator Johnson, or Mr. Lineberger from this city, "Why, you do not have any people coming out here interested in this project. Where are your home people? What personal interest have they?" So it has become the custom—and it is somewhat an expensive one too, but it seems to be the proper way—for local committees to go before the Congressional committee. And then it depends, altogether, upon the wisdom with which you present your cause, and the talk that you make and the way that you marshal your facts.

Now then, you read a great deal in the papers to the effect that nothing has been done, and nothing has come out of Congress, that the bill has not even been reported. Let me give you the reason for that: It is not on account of the provisions of the bill at all, as I see it, that the legislation has not been reported. But it is for this reason: Herbert Hoover is a very able man; he is a very wise man also. He understands human nature pretty well, and he knows just what he is doing. He conceived the idea of what is known as "The Colorado River Compact." The people interested met at San Jose, New Mexico, a few years ago. Our state was represented by Mr. McClure, our state engineer. The other six states included in the basin had their representatives at that meeting. And they all agreed upon what they called

"The Colorado River Compact," to be ratified by the Legislatures of the seven states. Six states ratified it, including California. Arizona did not and has not yet ratified it. Now that compact—and that is a long story and I will have to skip over it pretty rapidly—that compact has certain provisions in it that needs very, very careful study, and which provisions convinced a good many people in California, especially those who had the best water rights, that it was somewhat doubtful, at least debatable, whether California ought to ratify that compact as presented for this reason: That compact divides the basin into two parts: California, Arizona and Nevada as the lower basin states, and the other as the upper basin states, and it divides the water of the Colorado River between those two groups of states, but it does not divide the water between the states. And there is the rub as far as Arizona is concerned. It says: The upper basin states shall be entitled to 7,500,000 second feet of water, acre feet of water; the lower basin states the same. And then it adds a million, presumably, for the Hila river, and it says that, once five million acre feet of water storage is provided, that all of the vested rights of the people in southern California, including the Imperial Valley irrigationists, that all their vested rights shall cease and merge in that storage. Now, it was the small amount of storage that worried and frightened the Imperial Valley people. They are no different from what we are. I have noticed that Long Beach, through its papers, as expressed in editorials in the last six months, is afraid of what may happen to certain developments upon the San Gabriel river on account of this new dam that we propose to put in up at this portion of the map. (Indicating on map.) My city of Riverside had a lawsuit with our neighboring city of San Bernardino, twelve miles away from us, which lasted for seven years, and then

we got a decision that meant nothing and was wholly unsatisfactory. And as I have said many times before, then we had a two bit lunch over at the neutral city of Colton, met around the table like brothers, and we solved our problem there in about an hour and a half, and wrote up a stipulation of our own and went up to the court, and told them to enter that stipulation, that we had settled the case, and we have had peace ever since. But we spent two hundred thousand dollars in that lawsuit needlessly. We could have done lots of things with that \$200,000. It is foolish for us, as communities, to scrap these things out before we have made an attempt to settle them between ourselves, meeting together as intelligent men.

It is just so with this project on the Colorado River. Now then, it defines the basin, as to area of the Colorado River, or any place where the water of the Colorado river can be taken. And already they are building or starting to build a tunnel toward Denver which takes a portion of the river outside of the drainage area. And in this compact is this provision that at intervals of every ten years, the upper basin states shall let pass, at this point (indicating on map) 7,500,000 acre feet of water. Now this is what that means: It means that the upper basin states would let their water down in wet years, and they would not let it down in dry years. They are not developed, agriculturally or industrially, as our country is developed. And we are still growing. Look ahead now twenty years, that is not very far distant, and if the upper basin states are then developed as we are now, we will be a hundred per cent ahead at that time—but if they are developed in twenty years as we are now, and it were physically possible for them to use that water, not one drop of the flow of the water of the Colorado River would come below the Boulder Canyon, and these

vested rights in southern California would only be getting water out of storage. Now, that is a pretty serious proposition to face. And a situation like that must mean big storage. There has been some talk of a low dam at a point down near Needles. That is absolutely absurd, from the standpoint of utility to the people of southern California.

And here comes in another problem, that of domestic water. Now, locally, most of our communities are quite well supplied now, but there is no reason at all to doubt—and it is not a dream—but that southern California will be populated just as thickly as we can water our people, inside and out. And that will be our measure of growth, and when we have reached the ultimate supply of water that will be our stopping place. You have not the rainfall, and you have not the storage capacity in your mountains for domestic water, sufficient to supply all the people that will want to come and that will be in southern California in the next twenty-five years. So, unless you go to some other source, different from what you have locally, we will reach an impasse in regard to water supply. We have, in the artesian basin of San Bernardino County, perhaps as fine and as abundant and as powerful a subterranean storage reservoir as there is in this state. I have seen every one of those wells put down, and they were flowing wells. But we are drawing upon them now from thirty to fifty per cent more than the water is being replenished, and if it were not for the work done by the three counties of Orange, San Bernardino and Riverside, in storing the flood waters on the free cone of the Santa Ana river, our artesian basin would be very largely overdrawn.

Now, these underground storage basins, are measurable just like a cylinder in the chemist's laboratory, and we know how much there is in this basin. And with

that knowledge, we also know that it is absolutely necessary for us to go to some other source for an additional supply of water. Now why do I say that with such positiveness when, as an individual, I do not know it? Well, I am not an engineer, but I base that statement upon the testimony that I have heard given in Washington by men like the learned Stanford professor, as to the quantity of water, as to the ability to store it, and as to the cost of electricity for pumping it. I base it upon the repeated statements of Mr. William Mulholland who has been to Washington twice, and whom I have talked with many, many times. I have sat down with him and said, "Now, Mr. Mulholland, I am going out with other men before the people of the state of California, to present this problem. I want to be sure of that which I say. I want the right to quote and use your name that you make this statement, and that you say that there is no other place for southern California to go for domestic water except the Colorado River, if we are to meet our ultimate destiny." And Mr. Mulholland says that, and I have his permission to quote him. Mr. Arthur P. Davis, Professor Southerland and six or eight other men of that caliber say the same thing. And in them I lay my faith and base the truth of the statements I make to you.

Now, Los Angeles has applied for 1,500 second feet of water on the Colorado River, to bring it in here in an immense aqueduct. That aqueduct will be constructed mainly through Riverside County, and then it will go over by way of Pasadena into Los Angeles. But that does not mean that Los Angeles is going to do all of this. I am in this work by unanimous vote of our city council, that thought it was of enough importance to our county and our city to be represented in it. Take the east end of our county, in the Cowchilla valley, there is 160,000 acres that could be irrigated from this

project, and has otherwise absolutely no chance of ever being irrigated from any other source. I am in this work, by a public vote at a meeting of our people held in our court house. I might, incidentally, say that I draw no salary, and I have no options on land, so it is nothing to me, other than to have a part, along with you men, in putting over a great project.

Now, remember this, there is no water in the Colorado river that these cities can file on. When Mr. Mulholland goes out and files on 1,500 second feet of water, there is not 1,500 second feet of water for him to file on. There is not one second foot of water for him to file on. Where is he going to get it? He is only going to get it out of storage, and that storage must be of a capacity sufficient to supply the vested rights so that they will not bring a lawsuit to prevent these people coming in and taking it out of storage. Now, why would they not object? For this reason: That they want the help of these municipalities in financing the building of that dam. Imperial County cannot do it. The city of Long Beach cannot do it. Riverside, San Bernardino and Redland counties cannot do it. Los Angeles and southern California must, of necessity, carry the burden, Los Angeles must come to the help of the other communities of southern California. What is Los Angeles? An artificial area bounded by certain governmental limitations. But they do not exist. We at Riverside, you at Long Beach, the people at San Bernardino have just as much right to call upon Los Angeles for help in order to accomplish the great big things necessary to be done in southern California. Los Angeles says that they want to do just that thing when their representatives come before our various Chambers of Commerce meetings and tell us how much they love us.

Now, as I say, before I went into this

work, the Mayor, the Board of Public Utilities of Los Angeles, the City Council passed resolutions, and turned copies over to me which I have in my office, the originals being retained in Los Angeles, stating that they will allow a fair proportion of these commodities, water power, etc., to go to the other communities in southern California, and I believe that they are going to play fair, that they are absolutely justified in doing what they are doing, and we cannot do it without them. They can do it without us but we cannot do it without them.

There are no politics in this organization, and we do not attempt to bring political influence to bear at all except in a legitimate and just manner, as of course all of these things are political in their nature. During the last election it was not certain that California would remain in the Republican column. It was not certain to this extent: Many of you men know Mr. C. C. Teague, who was the campaign manager in the state of California for Mr. Coolidge. Personally I have known him for years. He is a very fine gentleman. Well, a number of men went to Mr. Teague, myself included, and we said, "Now, Mr. Teague, we would like to know how Mr. Coolidge stands upon the question of the development of the Colorado River." And then came that telegram from Mr. Coolidge to Mr. Teague, in which he says, "I am in favor of a dam to be located at Boulder Canyon, or such other place as competent engineers may decide, to be a mixed storage, to take both the seasonal and the annual flow of the river, and I consider the National Government the proper agency to undertake the work." Now, that was all we wanted. We want this dam put in by the Government, under the Reclamation Service, and we do not want it put in under the direction of the Federal Power Commission. Now when I say that I do not say it in a spirit of antago-

(Continued on page 75)

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The problem of what to do is one that delegates to the Yosemite Convention can leave behind them when they start for the Sierras. The camps, transportation system and other conveniences for the public in Yosemite National Park are operated under the close supervision of the Government, which sees to it that facilities are provided for visitors to the park to follow their whims in the matter of amusement at reasonable cost. In addition to the conveniences aforementioned, the Yosemite Park & Curry Company has horses for those who care for saddle trips, motor excursions to the higher realms of the park for those who want travel, while trails will take those who wish to commune alone with Nature away from any sign of civilization after a fifteen minute walk. Guides are provided both by the Government and by the Company without charge for those who wish to join parties studying the natural wonders of Yosemite.

In addition to its scenic attractions, Yosemite presents some other interesting studies for city officials. Yosemite Valley is a community, governed by the National Park Service of the Department of the Interior, which expands from a population of 400 in the winter to more than twenty times that number in the summer. With this sudden expansion has come many civic problems such as those confronted in cities, but much more acute, owing to the location and the nature of the population.

For instance, there is the traffic problem of caring for motorists who descend on the valley at the rate of more than a

thousand cars a day at times. To meet the water problem the Park Service developed a community water works and laid out a system of pipe lines in the Valley. To furnish light and power, a public power plant was developed on the Merced River. The sewage disposal plant was installed to provide sanitary conditions, while a garbage incinerating plant has been installed, much to the disgust of Yosemite bears. The largest single road building contract ever let by the U. S. Government is providing Yosemite Valley with a system of paved roads. The Park Service is operating a telegraph line and a telephone system that connects not only with the cities of the valley but with the outlying ranger and patrol stations of the Yosemite Sierras. For some strange reason, refugees from justice often think they are safe in the mountains, but the policing of the Yosemite National Park ranger service has led to the apprehension of many criminals and has made Yosemite so free from crime that doors are seldom locked in the Valley. In addition, the Park Service operates a fire department which has conquered every blaze in recent years without serious loss.

Among the numerous organizations which have held conventions in Yosemite recently are the California Library Association, the California Land Title Association, District Attorneys' Association of California, California Conference of Social Workers, California Bankers Convention, Apartment House Association of California, California Press Association, Foresters of America, California Medical Association, California State Association of Optometrists.

Resolution passed at convention of
California Conference of Social Workers
In Yosemite Valley, May 22-25, 1923.

BE IT RESOLVED by the California Conference of Social Work at its Fifteenth Annual Meeting at Yosemite Lodge, in Yosemite National Park, May 25, 1923, that we express our hearty appreciation of the fine courtesies extended to us by every person connected with Yosemite Lodge and the Yosemite Transportation System. There has been shown us unfailing kindness and every

PACIFIC MUNICIPALITIES

effort has been put forth to make our stay pleasant and profitable. We hereby ask all who are connected with the administration of Yosemite Lodge and the Yosemite Transportation System to accept this expression of our gratitude.

Upon motion duly made and seconded the above resolution was unanimously adopted by standing vote.

Excerpt from letter of Susan T. Smith,
Secretary of California Library Association,
to Mr. R. E. McCormick, regarding the convention
of the Association at Yosemite Lodge, June 4-7, 1923.

"It was the largest convention we have ever had and if one can believe what so many said to me, the most successful."

Resolution passed at convention of the
California Medical Association in Yosemite Valley May 18-21, 1925.
(This is the second time this Association met in Yosemite)

RESOLVED, that the thanks of the California Medical Association be tendered the Yosemite Park & Curry Company for the very handsome gavel presented to the Association; and for its many courtesies and extraordinary efforts in making the meeting a success under most trying weather conditions; and further that the Association particularly desires to thank Mr. R. E. McCormick for the large share his unflinching efforts contributed in making the meeting a success.

GRAND COURT OF CALIFORNIA
FORESTERS OF AMERICA

Resolution of Thanks

WHEREAS, the thirty-fifth annual session of the Grand Court of California, Foresters of America, has been held in the glorious Yosemite Valley; and

WHEREAS, in addition to the wonderful beauty of the place, the employees of Yosemite Lodge, the Yosemite Transportation Co., and the Santa Fe Railroad Company have cooperated with the Grand Court Officers and committees and showed all delegates every courtesy and have assisted in every way in making this session of the Grand Court one to be long remembered.

RESOLVED, that we hereby extend our thanks and appreciation to Mr. Lloyd of the Associated Press, to Mr. R. J. Johnson and Mr. J. P. Donovan of the Santa Fe Railroad Co., to Mr. E. Kane, Mr. W. E. Webb, Mr. R. E. McCormick, Mr. H. H. Hunkins, officials of the Yosemite Transportation Company, Supt. Lewis, the Rangers and officials of the Park, Mr. H. Wilson, Mr. W. H. Hancock, Miss Florence Morris, Fred Smith and all the other officials and employees who were most kind and courteous and did everything they possibly could to make our stay most pleasant; be it further

RESOLVED, that a copy of these resolutions be spread upon the minutes of this Grand Court, copy be sent to the Yosemite Transportation Co., the Santa Fe R. R. Co., to the Yosemite Lodge and a copy to be printed in the American Forester Review, the official publication of the Grand Court of California.

Committee, Joseph B. Reboli,
Grand Secretary.
Albert Springer, Sr.
Grand Junior Woodward.

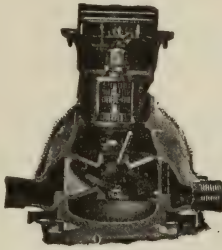
(Continued from page 58)

of intensified demand has been created at a distance of half a mile. Who pays the bill? Can you immediately add another lateral? Under normal conditions you have got to practically reconstruct the whole thing from beginning to end because a sanitation system and a storm drainage system, a water system and a telephone and light conduit system and a gas system are inflexible. It is the community that pays for this tremendous scrapping of property values. It is a thing that is peculiar to American cities, and a thing that we ought to as a matter of self preservation and self pride do away with.

So that the one high light from the international conference on city planning, at this moment as I recall it, is that the ideal is the maintenance of small units as communities rather than these great heterogeneous masses that some people have pointed to with pride in the past and called "metropolises." We probably can never prevent the development of a metropolis, but we can so direct its development that, although in a given area you will have a metropolitan district, and in the industrial and commercial activities you will have a complete metropolitan organization, still in those separate units within which people live and within which they carry on their business and their industries, you will continue to have that coordination that you can only secure from well developed individual small units.

And here is my one concluding thought, which is original and in no sense a repetition of the work of the New York session, the one thing that, to me personally, seems so fascinating in the work here in California and particularly in southern California, and that is that we have found, by watching what is going on here, the beginning of a condition that not long since was the case in the New York

district and the Chicago district. But we believe that we have seen it in time, and, instead of permitting it to develop in a purposeless and unguided way into one unbroken mass that will constitute us all merely individuals in a great big stormy sea of humanity, that rather than that, we will recognize the outward bounds of the metropolitan district, and we will also recognize the individual units that constitute the future portions of that whole, and everything that we do, be it the laying out of the major street system to which Mr. Pomeroy has made reference, be it the laying out of a drainage system, a recreational park system, a beach system or what not, that they shall all be done on such a scale as to perpetuate the individual unity of these existing present districts or communities, in order that they shall, for all time, be maintained in their integrity as a single unit, connected, through coordination only, with their neighboring units, so that this great metropolitan district here, as also the great metropolitan district in the bay districts in the north, shall be, not one great whole, but a co-ordination of many units, within each of which there shall be the most ideal living conditions, the most ideal conditions for business or industry, and yet with all of the individuality, with all of the characteristics and all of the ambitions that, after all, are the things that constitute real community spirit, real community pride, those things which only can be found, we discover, in the small unit that a person can intelligently comprehend. That, to me, seems the great ideal American city or community of the future; the recognition of the small unit and its perpetuation, in order that we may derive, from it, that demonstrated higher degree of efficiency, that higher degree of economy, and with it the most ideal living conditions that human beings can reside under. (Applause.)



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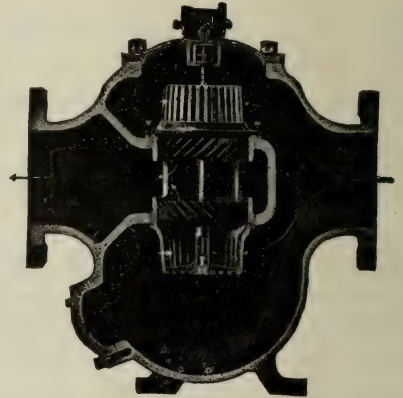
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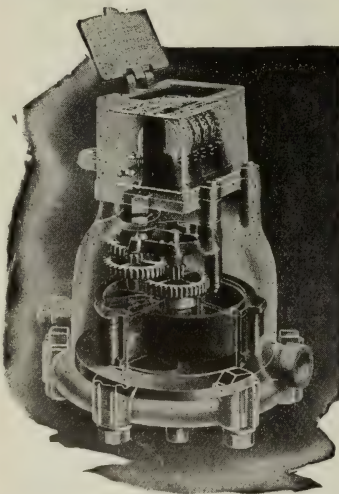
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nism. The Federal Power Commission is organized for power alone. It has no slant on agriculture, has no sympathy with it, has no organization to take care of it. The Reclamation Service has all that sympathy and all of that competent organization. This should be done for reclamation first, and the Government should control and own forever, and keep charge of the turning of those wheels, so that, in time of drought, the water shall be for reclamation first, second for irrigation, and third and incidentally, for the power. And nobody else should have the ability to regulate that farthest down stream development.

Now, Mr. Mulholland says that, in order to store that water, it must be stored at a place where the water can be de-silted. When these flood waters come down, naturally they are heavily laden with silt. We cannot put muddy water into these pumps. That water must be elevated, twelve hundred to fourteen hundred feet in the air. It will take approximately one-third of the constant horsepower to do that pumping. You could not afford to pump it to such an elevation at any price that you now pay for electricity. You have got to produce electricity at a cost that will be made possible by its production from a dam like this one that is projected, so that you can afford to bring domestic water in here at all. That is one reason why we want to bring water from the Boulder Dam location.

Now, one other thing: In order that there may be no misconception in the minds of people as to this body of men, let me tell you who they are: The City Manager of this city, Mr. C. H. Windham; Mr. W. J. Carr, former state Senator from Pasadena; Earl C. Pond, President of the Imperial Irrigation District; Mr. R. B. Peters of the Farm Bureau Association of San Bernardino,

who represents the Farm Bureau opinion of southern California, and very properly so; Mr. F. W. Colton of Fullerton is the auditor and Mr. John L. Bacon, Mayor of San Diego, is President of the Association, and I am the Executive Director. We maintain offices in Los Angeles and from there mail out our literature and arrange for these various meetings. Now, we do not advocate that all of this power shall go to municipalities, and we never have advocated that, repeated statements in some of the local newspapers to the contrary notwithstanding. We recognize this fact: That the private power companies serve unincorporated areas where the delivery of electricity is absolutely as necessary as the delivery of light is to Long Beach or Riverside. This is no socialistic problem. We are not advocating government ownership of abstract problems. We are advocating the preferential right of such communities as can properly finance the project to go into this location, and bring from there electricity, on an economical and sound basis, for the purpose of distributing this electricity to those cities who now own and operate their own distributing systems, such as Los Angeles, Pasadena and Riverside, which has the oldest municipally owned plant in California, my city having owned and operated that plant for nearly forty years, and with, I think, a fair share of success. We advocate the division of this power between those municipalities and the private power companies. We are not seeking to put anybody out of business. And consistently, for many years in California, as we have had these different problems come before public meetings, I have made those statements, that I will be the last man to try and take any one's property away without just compensation. I do not advocate, and I want to be the last man to advocate, unnecessary interference with in-

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vested capital. But these private power companies, the Southern California Edison Company and other companies, with whom I have dealt in our city now for nearly forty years, off and on—I was with it when the first plant was built—has treated us with the utmost fairness and consideration. We have never had any dispute with them, and in a business way have gotten along fine. They have their proper province, and they should stand aside and not unnecessarily interfere with the advancement of our cities for this reason: That Los Angeles, Riverside and Pasadena, by a vote of their people, not by the opinion of a few fanatics as some of the papers say, but by a vote of their people have committed themselves to the use and development of their electricity and domestic water by their own municipalities. Now, there is some disposition to deny, to those cities, further legitimate use of hydro-electric power. To my mind it is absolutely unfair to take the position that the private power companies shall have all of the hydro-electric power which is cheap, and the cities shall secure their increased production by steam power, which is dear. Let us have a fair division of it, as between the two, and get along amicably and as business people. It would be just as unfair for the cities to advocate that they would take all the hydro-electric power and make the private power companies manufacture all the steam power. There is some disposition, in certain channels in southern California, to compel the cities to create their power that way, and to put impediment in the proper development of these municipal electric distribution systems throughout this section of the state. Electricity is in its infancy. I heard a man say yesterday, one of the United States Representatives, at a banquet in a port last night where we had a harbor celebration, that electricity, in the future,

in the next generation, would do what steam has done for the last generation. And I believe it. We are only in our infancy as to the use of electricity.

Why has not something come out of Congress? Governor Hunt controls the political opinion of Arizona. Every state in our Union has a perfect right to determine its own policies. I would be foolish to stand up here and criticize the attitude of the state of Arizona upon this problem. I can give its attitude, however, and then let you draw your own conclusions, just as I draw mine. Here are three men out in a boat. They have been shipwrecked and they have got to get to land pretty soon because if they do not they will die for lack of water and food. Two say land is over there, and they start rowing in that direction. The third man says, "No, land is over here," and he starts to rowing in the other direction. They none of them reach shore. Now, it seems to me that in a seven state compact, when six of those states have said that a certain thing is just and that that is the way to progress, that the seventh state ought to come in. Suppose in your Chamber of Commerce, your City Council, your Board of Supervisors, in any of your business organizations, or in your homes you took that kind of an attitude, you would never get anywhere. You know, somebody has said that the mistakes of decision cause a whole lot less trouble than the mistakes of indecision, and I think that is so.

Now, Governor Hunt, if I understand him correctly, takes this position: He likes another location, and he does not like the Boulder Dam location because it is partly in Nevada and partly in Arizona, and he wants it all in Arizona, so he can tax it on an ad valorem basis, so that he can secure an income to run the state with and practically have no taxation in the state of Arizona on private property. They have a lot of low grade ore down

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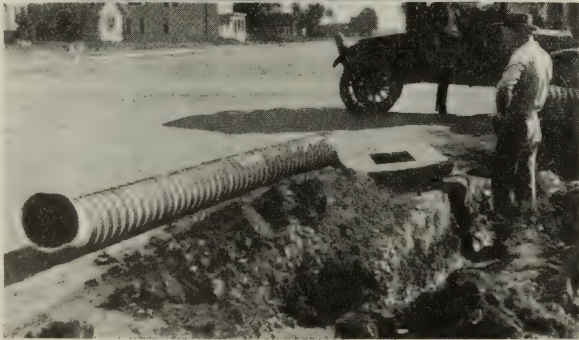
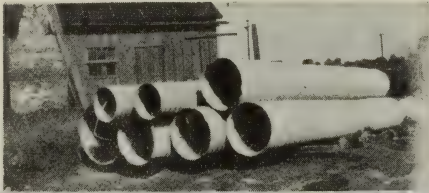
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there. I was at the dedication of the Roosevelt Dam many years ago. I went back down there about a month ago, and I found that under that dam they are doing exactly what we want to do with the Boulder Dam. They are building what they call a "horse mesa" dam. It does not store any more water, it simply lets the water down for power purposes. They made a contract with the Copper Company at a price from which they will get an average income of about \$560,000 a year. If they do not deliver it this year they will deliver it next year. They voted \$7,400,000 for that purpose, and they are building that dam on the strength of that contract for power only, with no relation to the storage of water and with no relation to reclamation. That is all we ask for on the Boulder Dam project, and still, the same people argue against us having any power from the Boulder Dam location.

Now, when they say, "Will you pay us a royalty?" Suppose we say, "Yes," as we tentatively said that we might do that if the Government established that as a national policy. You gain the vote of Arizona but immediately 90 Senators from the eastern states, Delaware, New York, Pennsylvania, etc., stand up and they say, "Hold on, you are going to give Arizona a royalty on power! You have got to give all the other projects of the eastern states a royalty on power also, and if you are going to establish that as a national policy, you are going very far afield in a Government enterprise." But we had better give Arizona a royalty on power and put the project over than not to give her a royalty on power and have Arizona stay out, for this reason: That it is altogether too big a thing to unnecessarily have blocked. Now, in the last Legislature we withdrew our ratification of the seven state pact and we made a new ratification which says that the pact will be effective when twenty

million acre feet of water is arranged for storage. And I think this provision is properly made, in the absence of the certainty of Arizona ratifying this compact. It means everything to the vested rights in the Cowchilla Valley and in the Imperial district.

One other thing and I will close. That is in regard to this all-American canal problem that you hear discussed a great deal in certain quarters. Do you know that, at the present minute, the Imperial Valley Irrigation District has a written contract and agreement with the United States Government, agreeing to build an All-American Canal? Franklin K. Lane was Secretary of the Interior. During his term he went to the Imperial Irrigation district, a number of years ago, when they were starting to dump rock across the river on the Yuma project, and he stopped them. He said, "You cannot put in a permanent dam for this reason: That the Government is investing money on the Arizona side of the river. By the diversion of this water you may cause that project a great deal of damage." Since then the Imperial Valley Irrigation district has put up a huge bond, and pays a great big premium every year, merely to guarantee that they will pay all the damage that they may cause by the putting in of that dam. The irrigationists take trees and brush and wind them around with cables, and they place them in the river and the sand piles up before those obstacles, and they get the clear water out. But before the next flood comes, they dynamite these obstructions all out and send them down the gulf of California. Then they have to do the same thing all over again the next year. It is just like pouring money into a sieve. So Lane said, "You get a place to divert your water, and you pay us \$1,600,000 for that privilege." They made the initial payment and have been making the payments ever since. Now we have this condition



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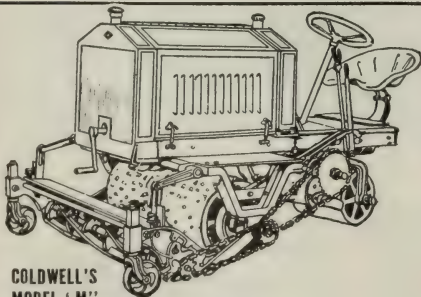
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that the Government is compelling the people in Imperial County, and properly so, to expend \$1,600,000 to get an intake that some people are going to try to deny them the right to use. At the same time they told the people of Imperial County that they must build a canal all on the American side, and they entered into a written agreement, and that agreement is in effect too. Why has it not been built? For this reason: That the Imperial Valley has fifty or sixty thousand people and they are not able to finance the building of that dam. Now, what does this present legislation do? It does not do anything at all other than to do what has already been signed up and agreed to be done except this additional, that the Government advances the money to build that canal, and they pay the Government back, in a period of about thirty-five years, with interest. The citizens get the financial assistance of the United States Government to do that which the United States Government told them they had to do, and which the people who are opposed to them know that the residents in Imperial County cannot do by themselves financially.

Now, many of you are familiar with the first Spanish ditches constructed in California, how they were built at the low elevations, where you could grow a little corn on the irrigated land and grow other products. And so this canal is built in the easiest possible location, extending into Mexico. And after it became valuable, and some American citizens who owned large tracts of land in Mexico saw its possibilities, the Mexican Government said, "You must form a Mexican organization." The Mexicans do not want the stock. The Imperial District has the stock in a safe deposit box at El Centro. And they meet and enact the rules and regulations for the Mexican corporation, the same as they do on the American side. But the

Mexican authorities say, "As long as the water runs through Mexico, we will take out 50 per cent of the water whenever we want it, and we will say what we will pay for our 50 per cent." Now the levee district maintains something like 50 miles of standard gauge railroad, and those levees and that railroad have all been put in either from the water rates collected, or through bond issues on the taxable value of the property on the American side of the line, and that has not been charged up to the property on the Mexican side of the line, and they are using now about 35 per cent of the water. Last year I took an automobile and drove down into Mexico. In fact, I have been down there every year now for about three or four years. I went 75 miles down below the border in Mexico, and I found that they were taking the brush off of section after section to get more water upon it for this reason: There is about 200,000 acres probably under cultivation on the Mexican side. You people in California have voted that men and races not of your blood and not of your persuasion, for the preservation of American institutions, that these men who are just as good as you are in their own country, shall not settle upon agricultural land on this side of the line. And yet some of you take the position that those very men can go across an imaginary line and work for fifty cents on the dollar, with no schoolhouse in sight—you could not shoot a cannon far enough to reach a schoolhouse in that country—with no building worth over \$500 in the entire district, with no roads, no improvements, and then say that those men shall raise produce to bring over on the American side of the line and to compete with Americans and with those living conditions and wages that you, by your vote, say are necessary to maintain a decent American citizen-

(Continued on page 84)

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(Continued from page 63)

production of asphalt, which you have under your hills, millions and millions of tons of it, is the reason why you get your asphalt pavement here about twenty-five per cent cheaper than any other municipality or any other section of this country or Canada.

Now, it is suggested that I say a word about my company. Of course, you all know that the business of the company that I represent is conducted along the lines that it develops what it receives and what it finds, from time to time, to be the very best product which it can produce, under initial patents which were secured by one of my brothers in 1901 and 1902. It has been improving this product from time to time since then. The result of that, gentlemen, has been that our pavement is today in general used in every state in the United States, every Province of Canada, and in hundreds and almost thousands of municipalities in those states and provinces. There have, of course, been questions regarding the recognition of those patents. The patent franchise was put into the Constitution of the United States, and legislation immediately followed as early as the Administration of George Washington. From that time on, the public recognition of patents has been regarded by the courts as a duty, and they have generally followed that duty. There are, of course, a number of patents. A patent, to be ultimately successful, must have intrinsic merit, and must be handled properly. If it fails in either of those respects, it is sure to fail entirely sooner or later, in regard to its use in industry. I thank you all. I am glad to again be with you and I hope that at some time in the future I may be with you again. (Applause).

(After a discussion indulged in by the Vice-President and Mr. Warren as to the historic remains of animals found in

the asphalt beds at La Brea, the following proceedings occurred.)

A DELEGATE: I would like to ask Mr. Warren this question: In the laying of a patent pavement, I understand there has been a general complaint that, after this pavement has been laid, it takes from fourteen to twenty-one days before they may use the pavement. In the laying of your patent pavement, commonly known as Warrenite how long after it is laid would it be possible for the public to use the same?

MR. WARREN: Mr. Chairman, three minutes after laying, if necessary. For instance, we laid the Columbia River Highway a distance of seventy-five miles in the year 1915, without a cent of expenditure for maintenance in the intervening ten years since then. That was laid with the river on one side and a mountain on the other, with no other means of reaching the farming country beyond, and yet that was laid without ever stopping traffic at all. We let the traffic through the pavement while it was being laid. More recently, in what is known as the Ogden Canyon road, ten miles along, extending from the city of Ogden through the mountains to a very productive agricultural plateau at the top, with a river on one side and a sheer mountain on the other, we laid that ten miles and did not stop traffic for a moment. Normally, if the conditions are such that a detour to the next street can be conveniently provided, traffic can go over our pavement, without any care whatever, as soon as the surface is cold, say a matter of twelve hours.

THE VICE-PRESIDENT: I understand that in the matter of the laying of the patent pavements, that your company pays the cost of the inspection, which is even more rigid than that of the city or county? Is that true?

MR. WARREN: Let me put that this way, if you will permit a little more than

a "yes" answer. As I stated before, our efforts and the integrity and success of our business is based on the fact that we endeavor to improve and keep on improving, and that we watch as closely as possible the entire process. And pursuant to that, we have an inspector on the job, a man qualified to advise, not to take the responsibility of the engineer, but

to advise with the engineer, and in conjunction with the other experts that the engineer may see fit to appoint to assist in securing the best work.

(At this point the Vice-President makes some announcements and Guy E. Smith makes a short talk on his patent pavement, and thereupon the meeting adjourns.)

(Continued from page 81)

ship on this side of the line. And I tell you, again, that that is absolutely wrong and not consistent.

Justice Harlan was attorney-general under the Cleveland Administration, and he rendered the only opinion on a similar project on the Rio Grande river that we have been able to dig out of the Congressional Library, or find among any of the documents at Washington, in which he said, "That Mexico has no right, legally or morally, to one drop of water of that river." And we maintain, as set out in the opinion of Chief Justice Marshall, that a nation is either sovereign or is not, and the minute a sovereign nation even intimates to another nation that anything that originates or falls within that nation can be attached by the other nation, that the first nation loses its sovereignty. Now, if as a comity, you want to give people on the Mexican side of the line water for 200,000 acres of land, all right, I do not know as we seriously object to it, although we ought not to do it. But there should be an absolute prohibition and notice now, as practically every member of the Arid Lands Committee has agreed upon, that no further obligation of the water to land on the Mexican side should be recognized, in comity or in legality. And the water used on the Mexican side of the line and the expense of keeping up the levees for the protection of the American side of the line, should be paid for equally by that

Mexican property as well as by our own. This will come up again in the next session. A bill will be introduced, and it will all depend upon whether we can make some arrangement with Mexico as to its successful issue. We are endeavoring to do that. Committees are appointed, and they are working with the people of Arizona, to see if we can arrive at some just solution. Californians can afford to be magnanimous, which they have ever been in all of these great enterprises. And we intend to do that, and I, for one, favor giving Arizona even more than she ought to have because they are the same kind of people that we are. And they are all right, they are fine fellows. But it is strange psychology that men will talk to you individually in an automobile differently than they will talk to you around a conference table. But I hope for results to come out of Arizona, and to have the seven state compact ratified as it was originally determined. If any of you at any time want to ask any questions, if you want any literature, if you want a copy of the bill, if you hear anyone make a statement, and you doubt the truth of it and you want to find out whether it is true or not, write the Boulder Dam Association at 529 Byrne Building, Third and Broadway, Los Angeles, and we will give you the information correctly, and we will quote the volume and the page and the line on the book from which we get our data. I thank you for your very kind consideration. (Applause.)

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Entered as second-class matter March 22, 1913, at the Post Office at San Francisco, California, under the Act of March 3, 1879.

VOL. XL

TWENTY-EIGHTH YEAR

No. 3

Editors H. A. MASON AND WM. J. LOCKE
Business and Advertising Manager H. A. POSTLETHWAITE
Editorial and Business Office . . . 707-721 Chancery Building, San Francisco

ADVERTISING RATES ON APPLICATION

Address all Communications to "PACIFIC MUNICIPALITIES," Chancery Bldg.
San Francisco, California

March, 1926

A. Carlisle & Co., Printers, San Francisco

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Carmel-by-the-Sea	Glendale	Modesto	Rio Vista	Susanville
Chico	Glendora	Monrovia	Riverside	Taft
Chino	Gridley	Montague	Riverbank	Tehachapi
Chowchilla	Gustine	Montebello	Rocklin	Torrance Ukiah
Chula Vista	Hanford	Monterey	Roseville	Tracy Upland
Claremont	Hawthorne	Monterey Park	Ross	Tujunga Vacaville
Clovis	Hayward	Morgan Hill	Sacramento	Tulare Ventura
Coalinga	Healdsburg	Mountain View	Salinas	Turlock Visalia
Colfax	Hemet	Mt. Shasta	Sanger	Vallejo Watts
Colton	Hercules	Napa	San Anselmo	Venice Winters
Colusa	Hollister	National City	San Bernardino	Watsonville Willows
Concord	Holtville	Needles	San Bruno	Walnut Creek
Corcoran	Honolulu	Nevada City	San Diego	Wheatland Willits
Corning	Huntington Beach	Newman	San Fernando	Whittier Yreka
Coronado	Huntington Park	Newport Beach	San Francisco	Woodland Yuba City
Compton	Hyde Park	Oakdale	San Gabriel	
Corona	Imperial	Oakland	San Juan	
				Total - - 251

Associate Members—Oregon: Astoria, La Grande

Pacific Municipalities

OFFICIAL ORGAN OF THE LEAGUE OF CALIFORNIA MUNICIPALITIES

Entered as second-class matter March 22, 1913, at the Post Office at San Francisco, California, under the act of March 3, 1879.

THE NEW ROAD TO YOSEMITE

Delegates to the League of California Municipalities convention in Yosemite Valley in August will be able to drive into Yosemite over the new Briceburg Road, according to advices from State Highway engineers.

The construction program calls for completion of the new highway into Yosemite by the first of August. It is possible, but not at all probable, that the road may be finished a month or two earlier than that date.

The road is not yet open to general travel, but those who have made the trip to Yosemite and back over it with special permits are enthusiastic over its possibilities. In spite of low-gear travel over the five miles just below El Portal, the trip takes but three hours from Merced to Yosemite Valley, or from the Valley back to Merced.

When completed, motorists will be able to make practically the whole trip in high. The steepest grades will be within the Park, between El Portal and the floor of Yosemite Valley, where the road in fifteen miles ascends from the 2,000 to the 4,000 foot level. However, the National Park Service is pushing the paving of this road so that it will be completed by the time the Briceburg Road is thrown open for general travel.

Construction of this Briceburg Road into Yosemite National Park is one of the outstanding achievements of road

building on the Pacific Coast. The road winds along the south bank of the narrow gorge of the Merced River for the upper twenty miles of the route. The road was literally blasted out of solid granite, to make a water level grade possible. It eliminates the climb over the old routes up to the 6,000 foot level to reach Yosemite Valley, which is at the 4,000 foot level.

Work on the difficult section of this new highway, the Merced River stretch just described, has been done entirely with convict labor. Two large camps of convicts from San Quentin prison tackled the job two years ago, one camp from each end. The road building job became a race between the convicts from the two camps. The men are all honor men. They are not under guard. They are paid for their labor, and pay in turn for their food, shelter and clothing, after which they net seventy-five cents a day profit. This is held in trust to be paid to the men on completion of their terms, with the exception of sums of \$200 taken from the whole and offered as rewards for the men who escape camp. Not many have tried to escape. They watch each other. The road these men have built under the most difficult circumstances is one that the State of California will be proud to compare with other mountain roads of the country.

Before it cuts down into the Merced

River gorge, the Briceburg Road runs through historic Mariposa County. The town of Mariposa itself, county seat, is a quaint old community. The court house was built in 1857. Then Mariposa was center of one of the richest and most populous mining regions of the State. The whole district abounds in stone cabins, washes, flumes, holes and other evidences of the Forty-Niners. The Mariposa mining region was famous for its nuggets of gold. Most of the mining on the slopes of the Sierras along the Merced River territory was for gold dust. Not so, Mariposa. Here men mined for nuggets. They still do. Delegates driving into Yosemite in August will notice numerous mines along the route and will occasionally catch sight of a miner at the mouth of his hole.

The Briceburg Road cuts off from the main highway at Merced, which is a good stop-over place for those who drive from a distance and who want to start into the mountains early in the morning. Incidentally, this is the best way to travel to Yosemite. There are so many interesting sights en route to Yosemite that the visitor who is pressed for time has to hurry by Mormon Bar, Mariposa, fine picnic spots and fishing streams and other attractions that may appeal to him by the wayside.

August is a good time to go to Yosemite. The roads from Yosemite Valley up to the higher country are then in good shape and travel is pleasant. Delegates will do well to allow a few days extra for vacationing, after the convention is over. From Yosemite Valley several worth while motor trips are possible.

One of the most popular is the trip to Glacier Point, 3,200 feet above Yosemite Valley. Situated on the sheer cliff, overlooking the dozens of snow covered Sierra peaks spread out before it, is the Glacier Point Hotel. This scenic spot can be reached by horseback and on foot

from Yosemite Valley over trails that pass Vernal, Nevada and Illillouette Falls, and which offer attractions not reached by the motorist in any other way. Competent guides take charge of the horseback parties, assuring safety.

Another famous motor trip is the drive to the Mariposa Grove of Big Trees. Here are the largest and oldest living things on earth, one of them said to be between 4,000 and 5,000 years old. One tree, familiar from the pictures in the old school geography, is so large that a stage drives through a tunnel in its trunk. A lodge is maintained at the Big Trees for those who wish to stop over night among these amazing and wonderful trees.

A more ambitious motor trip is the one over the Tioga Pass, to Mono Lake, from which good roads connect with Lake Tahoe on the north and Bishop and Los Angeles on the south. This is undoubtedly the world's rarest mountain motor trip. The Tioga Road, winding amid towering Sierra peaks, glaciers, lakes, mountain streams, meadows and forests, and the incomparable Leevining Canyon, was traversed by 200 motorists a day during the height of the season last year. This gives some idea of its accessibility.

At Tuolumne Meadows a lodge is maintained, where the motorists may stop for a few days in the richest trout fishing region of Yosemite. Trout are plentiful in the Tuolumne River, which flows past the Lodge, in any of a dozen high mountain lakes and streams within a day's hike of the Lodge. From here horses are available to visit the famous Waterwheel Falls of the Tuolumne River, one of the oddest and most beautiful sights of Yosemite. These falls form a complete waterwheel at highwater time. En route to them are a dozen or more falls in the turbulent Tuolumne, below

(Continued on page 124)

Why Our Bills Were Thrown in the Waste Basket

A number of the city officials who attended the last convention of the League held in Long Beach and who heard the report of the legislative committee, which concluded with the statement that practically all the measures indorsed by the League were given the pocket veto by Governor Richardson, did not understand the reason for his apparent unfriendliness. The matter was explained at the time in the form of an editorial by the Los Angeles Record, and a suggestion has been made that this editorial be reprinted for the benefit of those who may not have seen it at the time.

It not infrequently happens that a vindictive type of man secures an office of some minor character and immediately proceeds to "get even" and punish those who don't happen to agree with his views, but it is not often that a man who has been honored with the highest office in a great empire like the State of California is of such a type that he ignores his oath of office and vetoes good measures simply because they have been sponsored by people who disagree with his views.

The editorial reads as follows:

Behind the Scenes.

Why Governor Richardson has his tomahawk out for the League of California Municipalities, which is meeting this week at Long Beach and learning of the wreckage of its legislative program at the hands of his vindictive

veto, can be explained by a bit of e-CON-omy history.

In 1917, Richardson, in his capacity of retriever for the hungry rural press, tried to lobby a bill through the legislature. The bill, quite in line with the Governor's idea of e-CON-omy, forced town and city "dads" to print, not once but three times, all their resolutions in the papers of their community.

To the Richardson retainers of the press it meant easy street, and to many of the weaklings it was a life-line. It meant near-ruin to town and city treasuries and gobs of grief for the taxpayers.

The League of Municipalities sounded the alarm against the hold-up and by a frantic campaign beat it in the legislature. Deprived of their expected handouts, the dailies and "weaklies" swore revenge. It came last spring when their mentor, then Governor, got hold of the League's legislative program.

Of 24 bills that had passed both houses hardly without a dissenting vote, Richardson vetoed 21. The League was set back two years in its forward march, the cities were blocked in their hope of simplifying laws, but the "rurals" were avenged.

The League cannot retaliate, for it can't do politics. But the people of the state, 70 per cent of whom live in cities, and all of whom pay heavily for this sort of e-CON-omy, can.

—*Los Angeles Record, Sept. 29, 1925.*



THE TELEPHONE CASE

The special meeting at Fresno on the telephone rates.

Following the regional meetings held in Los Angeles and San Francisco last month, a special meeting for the entire state was held in the city hall at Fresno on March 6th. Delegates were present from various parts of the state and much interest was manifested in the question under consideration. The following account of the meeting is republished from the "Fresno Bee" of March 7th:

Agreement that an initiative proposition to make possible recall of all appointive state officials will be sponsored at a later date, was entered into by members of the League of California Municipalities in special session here late yesterday, when the full strength of the league's resources was pledged by resolution to aid the city of Los Angeles in a rate fight against the Southern California Telephone Company, the Pacific Telephone and Telegraph Company and the American Telephone and Telegraph Company.

With almost 100 councilmen, managers, engineers and attorneys present representing thirty cities, only two dissenting voices were raised when after strong criticism of the railroad commission had been voiced the proposition of sponsoring the initiative measure was presented.

Recall Action Delayed.

Representatives of South San Francisco and Oakland objected to action at yesterday's session, setting forth as the basis for their opposition, the fact that the meeting was a special session, called to discuss and act on the telephone rate question.

The matter was referred to the executive committee with authority to

conduct a referendum among the cities of the state.

"The people of California never have had a square deal from the railroad commission; we don't get the consideration we are entitled to when we appear before the commission on public utility matters," said President H. L. Moody.

Executive Secretary W. J. Locke of Alameda said that state regulation of public utilities has never been satisfactory under the railroad commission system.

"When rate matters are presented to the commission and they are contested by interested municipalities, the result always is a one-sided decision," he said.

Says Cases Rushed Through.

"The public utilities never present their rate-increase demands until their specially employed attorneys and engineers have taken months to prepare their cases," Locke said. "Then they rush before the railroad commission and ask for an immediate hearing. As a rule the city attorney who must oppose them is given thirty days in which to prepare his case.

"The result is that when the hearing is held he is forced by lack of preparation to sit there and listen while the high-powered engineers and glib-tongued attorneys of the utilities corporations smother him in facts and figures to which he has no answer.

"The greatest trouble with the railroad commission is that it has assumed the attitude of a judicial body instead of that of an investigating body. Instead of delving into these matters on its own responsibility and ascertaining

facts surrounding these rate increases, the commission sits back and listens, with the result that the best prepared man wins. In most cases, it is the utilities' representatives who win because they have more time for preparation than does the city attorney who must oppose them."

Los Angeles Rates Up

The move against the railroad commission grew out of the discussion of proposed increases of telephone rates throughout California, following the institution of metered service in Los Angeles on March 21st.

A test of the metered service at the Metro-Goldwyn-Mayer motion picture studios at Culver City showed that this class of service will cost the studios \$1,700 per month as compared with \$500 per month on the old plan of service.

This was the declaration of Guernsey Frazer, secretary of a committee appointed by Mayor Cryer of Los Angeles to investigate the telephone situation. Frazer said that the metered service will result in general increases in rates amounting to more than 100 per cent for every business house served by the Los Angeles exchange.

Four hundred cities of the United States, congress, the interstate commerce commission, the federal trade commission and other agencies are now investigating the American Telephone and Telegraph Company and its "milking of the public" through excessive charges upon its subsidiaries, Frazer said.

Probe Subsidiary Payments.

The American Telephone and Telegraph Company has denied the jurisdiction of state regulatory bodies to investigate it, Frazer said, and it is the idea of the Los Angeles committee to spend \$75,000 in forcing the company to reveal why it collects large sums from sub-

sidiaries. The investigation will cover the following points, which will also be the basic points of the league's participation in the contest:

Collection of 4½ per cent of the gross receipts of the subsidiary telephone companies.

Collection of 65 per cent of all long distance toll charges.

Handling of all securities of subsidiaries through the Bell Securities Company, which collects a profit out of the securities.

Purchase of all telephone supplies through the Western Electric Company, a Bell telephone subsidiary.

Making charges upon subsidiaries for technical and legal advice.

It is contended that none of these charges against the subsidiary companies is warranted, and that they only serve to increase the cost of telephone service to the individual and swell the dividends and surplus of the American Telephone and Telegraph Company.

Cities represented at the meeting yesterday were Petaluma, Santa Rosa, South San Francisco, San Mateo, Inglewood, El Segundo, Visalia, Ventura, Riverside, Sanger, Firebaugh, Azusa, Oakland, San Diego, San Bernardino, Madera, Porterville, Los Angeles, Kingsburg, Hollister, Turlock, Hanford, Alameda, Bakersfield, Imperial, Reedley, San Leandro and Richmond.

Resolution.

The following resolution was unanimously adopted by the meeting:

WHEREAS, the Railroad Commission of the State of California has made its order, effective March 21st, 1926, which will have the effect of greatly increasing the rates and revenues of the Southern California Telephone Company in Los Angeles and vicinity, through the medium of a compulsory metered charge, and

WHEREAS, the City of Los Angeles is preparing to defend itself against this unjust, exorbitant and indefensible increase in its telephone rates by appropriate proceedings before the Railroad Commission of the State of California, the Interstate Commerce Commission, the Federal Trade Commission and such other tribunals as may have jurisdiction thereover, and,

WHEREAS, the imposition of a similar charge throughout the entire state is threatened and is imminent unless the said order of the Railroad Commission can be set aside,

NOW, THEREFORE, BE IT RESOLVED by the League of California Municipalities in special convention assembled at the City of Fresno, this 6th day of March, 1926, that said League pledge its full and hearty support to the City of Los Angeles in its efforts to prevent the imposition of this unwarranted charge, and to that end, that the Executive Committee of the League be and it is hereby empowered and directed to take any and all steps necessary and proper to aid the City of Los Angeles in its efforts to secure a fair and just telephone rate.

Public Health Engineering Abstracts

New Activated Sludge Plant for Pomona, California. Black and Veatch. Western Construction News, Vol. 1, No. 2, January 25, 1926. pp. 40-43.

This plant is designed to serve 20,000 people of Pomona, Claremont and La Verne, California, treating domestic sewage only, the storm water being excluded. The plant consists of preliminary settling tanks, aeration tanks, final settling tanks, sludge beds and chlorination. The main features of design are given, as well as the plans.

Preliminary Settling Tanks. This is of the Imhoff type and is designed for a total detention period of 48 minutes average flow. The sludge digestion chamber has a capacity of 2 cu. ft. per capita. The gas vent area is 38.4 per cent of the total area of the sludge digestion chamber. Provision is made in this tank for the digestion of activated sludge to the extent of 20% of the day-time flow.

Aeration Tanks. There are two tanks, 32' x 106' with water depth 15', and a total capacity of about six hours flow at

maximum rate plus 20 per cent returned activated sludge. One cubic foot of air per gallon of sewage based on maximum flow is expected.

Final Settling Tanks. Two 32' square settling tanks with combined capacity of one hours maximum sewage flow plus 20% of returned sludge are provided and will be equipped with clarifiers.

Chlorination Tank. This is designed for a 20 minute detention period maximum flow.

Sludge Re-Aeration Tank. A sludge re-aeration period of one hour is provided for in this tank.

Sludge Beds. Two sludge drying areas, each with two beds 20' x 60', provide for $\frac{1}{2}$ sq. ft. of surface per capita.

Municipal Works in Durban, South Africa. R. W. Watson, Asst. Borough Engineer, Surveyor, Vol. 68, No. 1753, August 21, 1925. pp. 165-167.

Swimming Pool. The construction of the open-air swimming pool completed in 1911 is described briefly. The pool has capacity of 750,000 gallons, is 300

feet long, 75 feet wide and varies in depth from 3 feet to 7 feet. It is filled with sea water by pumping. Ample booth accommodation, fresh water showers and sanitary conveniences have been provided.

Swimming Pool Care and Design. Jack J. Hinman, Jr., Domestic Engineering. Vol. 3, No. 13, June 27, 1925.

The minimum length for athletic records is 60 feet. As 5 feet lanes are required, width should be a multiple of 5. A fault of many large pools is too large proportion of deep water. About 90 per cent of area of large outdoor pool should be not over 5 feet deep. Deep water should be located at end away from entrance or in large pools at the center. Scum gutters should surround the pool. At indoor pools room should be of ample height with plenty of windows or skylights. All finish should be waterproof. Iron fixtures and fittings rust and cause stains on walls, etc. Pool linings should be smooth and white. Swimming lanes should be marked on the bottom, and distances and depths on the side wall. From a health standpoint the material most likely to cause disease is fresh secretions newly thrown off from bathers. The man in the pool with you is more real danger than the man who was in yesterday. To make the pool safe there should be rapid dilution and carrying away of infective material toward the exit pipes. Nasal discharges float and can be flushed off the scum gutters. Continuous refiltration is necessary to keep water clean. With hard waters heating and excess aeration may cause lime carbonate to precipitate, making the water turbid and incrusting the sand of the filters. Some form of disinfection is essential. Chlorine should be used with discretion. Liquid chlorine is preferable, being susceptible to more accurate and more workmanlike control.

Review of the article entitled, "The City Manager Plan in California" by Randall M. Dorton, City Manager of Monterey.

The League office is in receipt of a paper written by City Manager Dorton on the above-entitled subject, which has been re-printed from the City Manager Magazine. The paper is written in the form of a thesis and is divided into eight chapters. The first chapter is devoted to forms of municipal government in California from the time of the adoption of the new constitution in 1879. Chapter 2 tells the reasons why different California cities have adopted the city manager plan of government. Chapter 3 is devoted to a commentary on the defects found in the older types of government while the remaining chapters relate to the advent of the city manager plan in California, its subsequent development and results from its adoption.

The article is written with the idea of showing what has been done in California with this new type of municipal government and inspire confidence in the city manager plan. Cities contemplating the adoption of new charters, and especially boards of freeholders, are advised to secure copies of the article. They may do so upon application to Mr. Dorton at Monterey.

Review of work entitled "Depreciation in Public Utilities" by Dr. Delos F. Wilcox.

The National Municipal League has recently published a second monograph, this time on the "Depreciation of Public Utilities," by Dr. Wilcox. These monographs, as stated in the prefatory note, are intended to present the technical problems of local government primarily for the assistance of administrative officers.

The subject of depreciation is one of vast importance upon which there is a

wide difference of opinion. Dr. Wilcox gives his views treating Depreciation in Public Utilities with particular reference to municipally owned street railway systems.

Chapter one is devoted to the confusion in depreciation theories and the causes of confusion, pointing out the difficulty in measuring deterioration and forecasting

obsolescence. He then proceeds to discuss the distinction of fair value and market value and a method of arriving at accrued depreciation.

The reputation of Dr. Wilcox on all matters pertaining to Public Utilities makes this monograph of considerable importance.

REINSTATEMENT AND CONVERSION OF WAR TIME INSURANCE

Over thirty billion dollars worth of war time insurance is now waiting in the vaults of the United States Veterans' Bureau to be reclaimed by world war veterans. **THE DEAD LINE IS JULY 2, 1926.** Four million American world war veterans will lose their insurance rights unless on or before July 2, 1926, they take steps to protect them. July 2, 1926, is the final date set by Congress to reinstate and convert their lapsed and unconverted insurance. **PRESIDENT COOLIDGE** has expressed his unqualified approval of the campaign recently inaugurated by the Bureau to bring to the attention of all ex-service men and women the desirability of immediate reinstatement and conversion of their war time insurance. **DIRECTOR HINES** has issued instructions that every man or woman entitled to this insurance be advised of his or her rights before it is too late. No person in this age should need to be convinced that life insurance is desirable. Every eligible veteran should get right on his government insurance before July 2, 1926.

Government Life Insurance is the best insurance protection money can buy and is issued in amounts ranging from \$1,000 to \$10,000 in multiples of \$500 and in forms of policies such as Ordinary Life, Twenty Payment Life, Thirty Payment

Life, Twenty Year endowment, Thirty Year Endowment and Endowment Maturing at the age of 62. The premium rates on converted War Time Insurance are lower than those charged by any Life Insurance Company for participating insurance with similar benefits. The policies are Standard Life Insurance contracts containing many attractive features. The principal features contained are, liberal premiums, guaranteed cash, paid up and extended insurance values, participating dividends, disability benefits, policy loans and no restrictions as to residence, travel, occupation, military or naval service.

A Veteran in good health may apply on or before July 2, 1926, for the reinstatement of all or any part of his term (War-Time) Insurance which has lapsed for a period of more than three months in multiples of \$500 but not less than \$1,000, by submitting an application for reinstatement and a report of a complete physical examination, together with a remittance covering two monthly premiums on the amount of insurance to be reinstated.

Further information and blank forms will be gladly furnished on request to Major Frederick A. Royse, U. S. Veterans' Bureau, 883 Market Street, San Francisco.

THE DISPOSAL OF FINES IN RECORDERS' COURTS FOR VIOLATION OF STATE LAWS

By ARTHUR ALLYN

Within the past year there have been some interesting developments in the law governing the disposal of fines and forfeitures collected by Recorders' Courts in 5th and 6th class cities in cases involving the violation of state laws—in particular in misdemeanor cases.

The companion cases of *County of Fresno vs. Shaw* and *City of Coalinga vs. Shaw* (46 C. A. D.-1074) arose out of a difference of opinion as to the proper interpretation of Secs. 1457 and 1570 of the Penal Code, which are as follows:

Sec. 1457. "Defendant discharged upon payment of fine. Disposition of fines. Upon payment of the fine, the officer must discharge the defendant, if he is not detained for any other legal cause, and pay over the fine within ten days to county treasurer if the offense is prosecuted for the violation of a state law in a justice's court; provided that all fines and forfeitures collected in any police court or city justice's court that is maintained, and the salaries of the officers thereof paid by the city, whether prosecuted for a violation of a state law or a city ordinance shall be paid to the city treasurer of the city in which such court is located; and further provided, that all fines and forfeitures collected for the violation of a city or town ordinance, in a justice's court shall be paid over to the city or town treasurer of the city or town in which such ordinance is in force, subject, however, to the provisions of chapter one of title fifteen of part one of this code."

Sec. 1570. "Fines and forfeitures, how disposed of. All fines and for-

feitures collected in any court, except police courts and city justice courts, must be paid to the county treasurer of the county in which the court is held; provided, that all forfeitures and fines collected in any court, for the violation of any city or town ordinance shall be paid to the city or town treasurer of the city or town in which such ordinance is in force; and further provided, that all fines and forfeitures collected in any police court or city justice's court that is maintained, and the salaries of the officers thereof, paid by the city, shall be paid to the city treasurer of the city in which such court is located, subject, however, to the provisions of chapter one of title fifteen of part one of this code."

The District Attorney of Fresno County contended that under these sections the fines collected by Recorders' Courts in state law cases should be paid to the County, and the City Attorneys of the 5th and 6th class cities of the County stood by the practical interpretation of these sections that had been in effective operation since 1905, by which the fines were retained by the cities. Naturally the various city recorders after the dispute warmed up refused to pay the fines over to either city or county and the result was a proceeding for a writ of mandate directing the recorder to pay over the fines to the city or county officer entitled thereto.

Now it is not my purpose to exhumate the corpse of long dead litigation, nor to rail against the decision of the District Court of Appeals rendered in the proceeding, nor the action of the Supreme

Court in refusing to grant a hearing after decision by the District Court. It is, however, necessary to a proper understanding of our present problem to make some observations on the case.

The contentions of the District Attorney which were upheld by the Appellate Court were based upon the decision of *Prince v. City of Fresno* (88 Cal. 407). That action was brought by the City Recorder of Fresno (then a 5th class municipality) against the city for fees for services rendered in certain cases involving misdemeanors under the Penal Code. The County of Fresno intervened claiming the fines collected.

Section 806 of the Mun. Corp. Act is practically identical with Sec. 882, and provides now as then, that the recorder's court shall have jurisdiction **concurrently** with the justice's court of all actions and proceedings civil and criminal arising within the corporate limits of the city.

The Supreme Court rendered its decision in the *Prince* case in favor of the county's contention upon the theory that the city recorder has a "DUAL JURISDICTION AND FUNCTION" and as to matters arising under state laws is in fact a Justice of the Peace, hence fines collected by him in cases of misdemeanors under the State law, were properly payable to the County Treasurer.

The contention of the cities was that first the *Prince* case was erroneously decided, being based upon the faulty authority of *Curtis v. Sacramento* (13 Cal. 292), and second that the 1905 amendments to Sections 1457 and 1570 showed a clear intent on the part of the legislature to change the rule of the *Prince* case.

When the *Prince* case was decided Section 1457 directed that fines be applied to payment of costs of prosecution and the balance paid into the County or City Treasury according as the offense be prosecuted in a justice or police court.

Section 1570 provided that all fines

collected in any court except police should be applied to payment of costs and the balance paid into the County Treasury.

Section 1461 of the Penal Code then as now defined Police Courts as including "police judges' courts, police courts and all courts held by mayors or recorders in incorporated cities or towns."

In 1905 both sections were amended in material respects and put in their present form.

Section 1457 now directs the police judge to "pay over the fine within ten days to the County Treasurer if the offense is prosecuted for the violation of a state law in the justice's court; provided that all fines and forfeitures collected in any police court or city justice's court that is maintained and the salaries of the officers thereof paid by the city, whether prosecuted for the violation of a state law or city ordinance shall be paid to the city treasuries of the city in which the court is located.

Section 1570 was amended to read and now directs that **ALL FINES COLLECTED IN ANY COURT, EXCEPT POLICE AND CITY JUSTICES' COURTS BE PAID INTO THE COUNTY TREASURY, PROVIDED** that all fines collected in any police or city justice's court that is maintained and the salaries of the officers thereof paid by the city shall be paid to the treasurer of the city maintaining the court.

The District Court of Appeal accepted the *Prince* case as authority for the proposition that a City Recorder in state law cases is in fact a justice of the peace and held that the amendments of 1905 were entirely ineffective. The Supreme Court adopted the decision by refusing a hearing.

So we must take the law as now finally determined that in cases involving state law violations (except motor vehicle cases), your city recorder sits as a justice

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Pension Systems for Municipal Employees

By CLIFTON E. HICKOK, City Manager, Alameda, California

Pension Systems.

It will be conceded by all that a reasonable and financially sound pension system for municipal employees is highly desirable and beneficial to the employees. Ordinarily, however, we do not appreciate that a municipal pension system is also desirable and beneficial to the city concerned. A municipal pension system should properly have in mind these two elements to be benefited:

1st. **The City**, which, in order to maintain the efficiency and morale of its organization must eliminate, at the proper time, those superannuated and useless employees who retard the work of their associates, causing a definite loss to the community.

2nd. **The Employees** who benefit by the knowledge and comfort that in their old age or incapacity from accident, they will be provided for.

The experience of numerous American cities has proven that the problem of providing for the retirement of public employees, when they are no longer able to perform the duties of their position, is a most difficult one, pregnant with financial dangers. To the layman and, particularly to the employee concerned, it seems a simple matter for the municipality by the mere passage of some sort of a pension ordinance, to assume the responsibility of providing against want, sickness and embarrassment during the inevitable old age of the city employees. Practically without exception every municipal retirement system in the United States has had its origin in a loosely drawn device, moulded largely through a paternalistic desire of the city to do the right thing by its employees. In many instances those employees who

were to be the beneficiaries were the very ones who had most to do with the drafting of the document. It can be said as a general statement that pension systems are the results of groups of men in certain well organized city departments banding together and requesting or demanding protection against sickness, accident or old age want. Due to ignorance of the subject, or indifference, no scientific or actuarial studies were made in order to establish the systems on an adequate financial foundation. The chief basis of consideration was a sentimental one, guided and actuated in many instances by those to be benefited. Pension systems were established which at the outset required payments which seemed to amount to a very small proportion of the aggregate payroll. Each succeeding year added its quota of new pensioners, and after a comparatively few years, the burden in most instances became a serious drain on the resources of the respective municipalities.

Experience of European Pension Systems.

The first pensions of which we have any record were awarded during the Roman era, and were in the forms of rewards for court favorites. Then followed awards to persons engaged in military or naval services. Next, pensions began to include those distinguished in art, science and literature. Then public servants, such as firemen and policemen, began to make demands for protection against the hazards of their occupations. These were followed by the school teachers and civil employees in other branches of the government.

France established a pension system for municipal employees before 1800; Austria-Hungary established a pension

system in 1760. Germany and England also adopted makeshift pension systems at an early date. The experience of the European countries and cities with the makeshift schemes proved to be disastrous as the years passed. Many of the original schemes have been abandoned and new ones developed and adopted. Even the modern pension systems of Europe are unsatisfactory and highly burdensome due to their unscientific structure. The cost of pension systems for civil service employes, even before the World War, had reached in Paris 34% of the payroll; in London, 32% of the payroll; in Berlin, 42% of the payroll; and in Austrian cities, 40% of the payroll.

Experience of Pension Projects in the United States.

The first pension fund to be established for municipal servants in the United States was created for the benefit of the police force of New York City in 1857. This was followed by a pension fund for firemen in 1871, and one for teachers in 1894. The systems adopted at these dates were typical of the makeshift schemes characteristic throughout American cities. As a result of these crude systems, a commission of investigation in New York City found in 1913 that there was a total deficit at that time of 154 million dollars. Due to the laxity of methods in the early days the city of New York is now paying out for pensions an amount exceeding 20% of the payroll.

The city of Chicago found its various pension funds in scarcely better shape than those in New York City. The Teachers Pension Fund of Chicago was found in 1917 to have a deficit from an actuarial standpoint of 5 million dollars; the Firemens Fund a deficit of about 13 million dollars; and the Policemens Fund a deficit of 30 million dollars. A report

filed with the Governor of Illinois by the Illinois Pension Laws Committee severely criticizes the utterly haphazard provisions by which all the Chicago pension funds are governed. This report states that "an inevitable crisis, involving the complete inability of the funds to meet their obligations is asserted to be near at hand, and the immediate adoption of a plan based on correct principles is recommended."

The pension funds of Buffalo, New York, were discovered when investigated by qualified actuaries, to have developed deficits of approximately 8 million dollars, to the utter surprise and chagrin of the taxpayers and employees.

In Wisconsin, the State Teachers Retirement Fund had in 1921 reached such a stage that only 23c could be paid on the dollars of promised benefits. As a consequence the aged school teachers were faced with the tragedy of disappointment and want, and the state was compelled in order to establish the fund on an actuarial basis, to set aside \$13,381,000 as a fund. It is a well known fact among actuaries that the Teachers Pension Fund of California, to which many aged teachers of this state have been faithfully contributing for years, is in a financially unsound condition.

The pension funds of Troy, Boston, Indianapolis, Cincinnati and of numerous other American cities upon investigation, were found to be bankrupt or on the verge of insolvency; and all of them were found to be facing deficits.

Many commissions have been appointed to investigate municipal pension systems throughout the United States. The consensus of their opinion is found in the expression of the New York committee, which says, "The pension funds in municipalities are a delusion and a snare until they are placed on an actuarial basis." The Mayor of Troy, New York,

(Continued on page 117)

Keeping the Public Informed. Is it an Obligation of the City Manager? How can it be done?

By R. N. DORTON, City Manager of Monterey

In discussing this subject I am going to assume that all city managers agree that the public is entitled to reliable civic information which affects their welfare; that community problems and plans of a community-wide nature should be presented to the public in a fair, open and unbiased manner. The best guarantee of good government is an interested and correctly informed public opinion and the success of the city manager depends almost entirely on the intimate relationship with the public which he serves. He must take the public into his confidence if his administration would be responsive to the wishes of the people.

In presenting information to the public the manager should be careful that plans of the administration are not prematurely made public. All the details of a proposition, such as zoning a city, should be very carefully worked out in conference with the council and expert opinion before the public has an opportunity to get bits of information here and there which might easily be garbled and, as a result, create opposition to a project which otherwise would be supported by the community.

The question as to whether it is an obligation of the city manager to present this information depends entirely upon the nature of the problem itself. Where matters of policy arise the city manager must necessarily be very discreet in the matter of presenting information. This is particularly true with reference to a community problem where there is a difference of opinion existing among the councilmen; such as, for example, the

voting of bonds for certain municipal purposes. While the city manager may be called upon to advise and confer with the council on the feasibility of some particular project for which a bond issue is contemplated, his counsel and advice should be strictly with his councilmen and not with the public. Once the council has decided to call a bond election it is the duty of the city manager to present the facts concerning costs, effect on the tax rate and relative matters in a fair and unprejudiced manner.

Problems of an administrative nature should invariably be communicated to the public by the manager if such administrative problems are of community-wide importance and affect any considerable portion of the community. For example, if the city owns or operates a public utility the public is entitled to know the actual financial and physical status of that utility from time to time for, after all, they are the stockholders of the assets of the community and by thus keeping the public informed any changes which may be made in the rates or management will be understood and appreciated.

The managers should, however, in communicating facts to the public, keep as much out of the limelight as possible for one of the arguments commonly heard against the manager plan is that the manager form of government is a dictatorship and this leads people to believe that there is some semblance of truth in the contention. One of the most important attributes of the city manager is tact and the lack of it in the matter of

handling the publicity of his office quickly leads to disaster, not only for him but for the other officers of the administration. Technical matters should be communicated to the public by the manager because he is in a position to have given study to problems with which the council would not be fully informed and should, therefore, be the best qualified to present information of interest. Information concerning the activities of the city government should not be given out by the department heads directly. This information should come through the manager's office and should be approved by him before it is made public.

How Can Information of Civic Interest Be Communicated to the Public?

There are many ways of accomplishing this. Briefly enumerated, they are: the

public press, public meetings, city publications and council meetings. I have enumerated these in the order of their importance. The public press is undoubtedly the most important medium of communication because more people read the newspaper than attend public meetings, council meetings or read city publications. The newspaper is constantly before the public and because of this fact the administration is enabled to sustain the public interest in municipal plans and problems. Furthermore, the American people have a habit of depending upon the newspaper for the greater part of their information. The public press, therefore, is the more satisfactory way for the manager to keep in touch with the community.

(Continued on page 113)

1926-3rd EDITION MUNICIPAL HAND BOOK

This handbook is issued by the League of California Municipalities for the purpose of enabling the officials of our cities and towns to obtain a better understanding of municipal government.

It comprises a collection of those sections of the constitution and general laws which concern municipalities, also that portion of the municipal corporation act which constitutes the basic law under which our fifth and sixth class cities are governed. In addition thereto, it contains much valuable information for the officials of newly-incorporated towns, including a number of model forms and ordinances.

A model city charter, with comments, and instructions how to proceed and obtain a charter, has been added to this edition.

Each city and town belonging to the League of California Municipalities is entitled to one copy of the book free of charge, but it is suggested that necessary additional copies be procured for use of the attorney, clerk, engineer, recorder, street superintendent, and each member of the board of trustees. These additional copies may be obtained from the publishers, A. Carlisle & Co., of San Francisco, at a nominal cost.

Any amendments to the law made by the next legislature will be printed on slips which may be pasted in the book over the amended law. These amendments will be published and distributed by the League free of charge.

Wm. J. Locke
Executive Secretary

LEAGUE OF CALIFORNIA MUNICIPALITIES

Dated,
San Francisco,
January, 1926.

MUNICIPAL LIGHTING PLANTS

Discussion following the address by

JOSEPH B. KAHN, Manager of the Alameda Municipal Lighting Plant

MR. KAHN: I have been a regular attendant at these conventions for many years, but I have failed to see many of the other cities send representatives. Now if they would do that, and there was an engineers' committee formed and men from the different cities would be represented at these meetings, I think that the messages that some of us would receive from others who have had experience in these lines would be of some benefit to the municipalities to which we belong. And I do not believe that I can say anything more that would be of interest to the delegates here because I am not going into the engineering or the economical features of the operation of a steam plant or a hydro electric plant because I do not think that is the subject under discussion at the present time. What we want to do and what we want to bring before the people, and to educate them in regard to by publicity, is the fact that they should know that the streets and byways belong to them, and that they should receive revenue out of the use of their streets. Now the city of Alameda, which I happen to be representing here at the present time, owns and controls their distribution system, and I think that has been one of the greatest factors in our successful development. Of course, we are a small community, we are not a community like Los Angeles or New York, but we have a wonderful city, one of the best little cities in the United States. I believe every one who has visited our city remarked about the well lighted streets. In fact, there is not a dark place in it. Now, we make a profit every year. Last year we made a profit of a hundred and ten thousand dollars out of this little

plant. That money is placed, as a dividend, into the general fund, and that money is used for betterments in the city. For our street lighting, although we have a very extensive system, the taxpayers do not pay one cent. And they do not pay for the lighting of our public buildings. The consumer pays it all. I do not believe that is just right, but it is the fact just the same. If a tax was put into our budget for the purpose of lighting the streets, our profits, instead of being a hundred thousand dollars, would probably be two hundred thousand dollars a year because we would then charge the taxpayer the same rate that Oakland and San Francisco are paying for their street lighting. So instead of making \$100,000.00 we would probably make \$200,000.00. Now this, gentlemen, is what I would like to bring before you, and the fact that I would like to get before the engineers' body, that we should have a sort of a section given up to the advancement of light and power plants controlled and operated by municipalities. Gentlemen, I thank you. (Applause).

MR. BECK: I think the gentleman has referred to something that is of value here and ought to be the subject of some discussion. We have a municipal gas system in Long Beach, that is a distribution system and an entire plant, but we have a lot of natural gas. Now, we are selling gas at fifty cents and making some profit on that. The thought that I had in mind, among others, is this: as a member of the council for some four years here, I have seen a disposition, sometimes a jealousy, on the part of the council to give powers to certain commissions. The question has been raised,

how far should these powers go? Now, my personal opinion as a layman is that these commissions should be given some power. I am glad that the speaker brought that out. I think they ought to be given some power concerning these matters that are of vital interest to them, and I believe that the time will come when these utilities that are now bringing a profit to private individuals and companies will be used to enhance the value of the city. Take it here in the city of Long Beach; we are spending some seventy-five to a hundred thousand dollars this year for street lighting and the lighting of our public buildings. Could that expense, in a measure, be saved to the city? And what profit should we have from that if we had a system of our own, a distribution system of our own? Now, it seems to me that while these things are brought up here, it would be mighty fine to have some discussion along some of the lines that the speaker has just brought out. I think it might be of advantage to us. These papers are splendid, but we could all contribute maybe a little something and receive and give something. And I was glad that he brought out that thought also because that is, in a large measure, what we have these conventions for, that those who take part give us something that those who are to listen can take back to their respective cities. I remember now, speaking personally myself, that I attended the Coronado convention some two years ago. I listened to an address there from Mr. Mitchell of the Art Commission of Los Angeles at that time. It thoroughly impressed me. I went back here to the city of Long Beach, and after a few months of fighting, I succeeded in having an ordinance enacted creating an Art Commission, and also giving that commission some power, not merely making it just an advisory commission. That is another question: should these commissions be merely

advisory or should they have some power? Should not some power be delegated to these people who know a little something about what they are talking about? Should the Planning Commission be merely advisory, to make their recommendations to the council, and then the council upset everything that the Planning Commission has planned and thought over? Or should they have power, when they think the thing out, to have it enacted into a law? Mr. Mitchell brought that out as to the powers of the commission. I want to say that I thoroughly enjoyed that paper.

THE CHAIRMAN: I think Mr. Beck's suggestion is a wise one. I can say, that, in San Jose, we are faced, right now, with a problem, due to the fact that we have a charter limitation on our tax rate. We are facing the problem of property owners desiring the installation of electroliers in districts on the edges of the city, where we find that, at the present rate handed down by the railroad commission, we are not able to stand the cost of such additional lighting until those districts have grown and more demand is made for the lights. The subject is open for discussion, if anybody wishes to discuss it.

MR. L. F. BARZELLOTTI (Lodi): I would like to say that Lodi has been a pioneer in owning its public utilities. We have had our distribution systems for light and water since 1908. And that is one of the reasons why Lodi has been able to do all of the things that have been done in that city. We have about 90 per cent of our streets lighted. And we derive from the lighting distribution system a net income, every year, of over \$30,000. That has enabled Lodi to lower this year its tax rate from \$1.60 per hundred dollars of taxable property to \$1.40. And with that \$1.40 we are able to pay our bonded indebtedness which was incurred for the building of a sewer system, for the buying and

construction of a water proposition, for the building of a sewage disposal plant of which you have heard at previous meetings, and to provide for the maintenance of that plant, which costs about six or seven thousand dollars a year. Now all that has been possible in Lodi because we have an income from the water and light. Our electricity is bought wholesale from one of the large companies. We own our own distributing system. We sell the electricity to the consumer for four cents a kilowatt hour. Now, that is what has been made possible in Lodi. And any other city can do the same thing. For instance, whenever a street wants electroliers, the property owners start a petition and the city compels the property owners to pay, in advance, the money that the electroliers and fixtures will cost. Then the city will install the electroliers, wire them and connect them and no charge is made to anybody for the lighting of these streets. I have been the city engineer of Lodi now for thirteen years. I was the man that put in the first electrolier in Lodi. I have been very careful to put down the pipes for the wires before I paved any street so that I never have to tear up a pavement to put up an electrolier or put in a sewer or anything of that kind. (Applause.)

THE CHAIRMAN: Any further discussion?

MR. KIERNAN: Now, Mr. Chairman, up in Sacramento, we standardize our electroliers. We figure that the furnishing of light, by our electrolier system, is more or less in the nature of a civic embellishment, in that we use approximately twenty-five per cent more juice under that system of illumination than under the former system. But we have offset that to a certain extent by getting a standard design for a very economical as well as a very attractive electrolier. We unfortunately permitted, in Sacramento, some of these promoters of the high class

subdivision districts to devise and design their own electrolier system, and space their electroliers as far apart as they deemed advisable, in no case considering the future welfare of the city.

Now, I believe that, when a city takes hold of a thing and treats it practically, that a lot of these complaints and difficulties that are encountered by city officials, in the operation of public utilities, could be avoided. We are doing that up in Sacramento. We believe that there is no question but what it is a whole lot better for a community to have a real electrolier illumination scheme worked out on a practical as well as an ornamental basis.

THE CHAIRMAN: Along that line I understand that in this community of Long Beach, and the surrounding towns, that petitions for street lighting must bear the affidavit of the lighting department, the Planning Commission, Art Leagues and other committees that are interested before they can be presented to the property owners.

MR. BECK: Might I say a word concerning that? We were confronted here in this city, as I presume you have been in other cities, by all kinds of petitions. You can get up a petition for most anything, and anybody will perhaps sign it. One petition came in with the name of a large property owner in this city stamped on it with a rubber stamp. In another petition the verbiage was entirely changed. There was nobody to authenticate the petition. So I was instrumental in having the council pass a resolution to the effect—it seems that we could not pass an ordinance—but a motion to the effect that, after the petitions originate in the city engineer's office, that they then must go to the Art Commission, and there there is placed upon them a photograph of the type of pole that they desire to solicit signatures for. And the Art Commission, having passed upon it as to the design, that is about all the Art

Commission has any authority over, the design. In other words, we do not want one kind of a pole on one block and a different kind of a pole on another block. If there were iron poles, say for five blocks, and there were ten blocks in that particular district, it stands to reason that the Art Commission would not approve of a cement pole for the remaining five blocks. You get the thought that I have in mind. Then it goes to the Engineer's office, and the Engineer obtains, from the people circulating the petition for the poles, what the installation will cost complete. Then the petition is given to the man who is to circulate it, and he goes with it to the property owners, and, while it is true that the property owner does not always look at what he is signing, there is absolutely no excuse for him not looking at it. He can first see that the petition has been passed by the Art Commission. He can secondly see the photograph of the kind of pole that he is signing for, and he can, thirdly, see what it will cost him. Now, they will say, "This petition does not cost you anything for the lights." Well, some of the property owners naturally assumed that it would not cost anything to install the ornamental poles. That was not true, you see. Now, of course, the circulator of the petition did not say that, he may have just said that it wouldn't cost the property owner anything for the lights, but the property owner naturally arrived at the conclusion that it would not cost him anything to put up these poles. But now when he can see, on the face of the petition, that it will cost him something to install the poles, he is going to be careful about signing it. So we have, in a measure, somewhat done away with that difficulty. I am hoping that it will come out all right. We did pass a resolution to the effect that all existing petitions were out, and were not then in the engineer's office, were

absolutely annulled and they would have to get new petitions under this system. And we are hopeful that it will work out all right. Many of these things, I think, we could discuss amongst ourselves with a great deal of profit. You men, likely, have confronted these things in your own city and have had these things come up. If some one here has a better system than we have of doing it, you ought to tell us about how you are doing it in your city. Ornamental lighting has come to stay. If we were to install all the ornamental lighting for which petitions are out now, the city would absolutely go broke by paying for it. It is costing us nearly a hundred thousand dollars a year for our ornamental lights, that is the arc lights and the public building lights. And I think if we installed all the lights that are being asked for it would likely cost us two or three hundred thousand dollars a year. I do not know that we can stand that. Whether we should charge a part of that to the property owner like they do in Los Angeles is a question. There they charge the part of the cost that is in excess of what would be the ordinary cost. They charge that excess to the property owner. Whether that should be done or not time will tell.

Another thought I want to bring before you is this: one of our speakers yesterday said something about cities earning their revenues. I was just wondering, if they can make thirty thousand dollars in Lodi, and if they can make a hundred thousand dollars in Alameda, if the cities could not earn enough from the operation of the public utilities that ought to belong to the city and ought to be under their control, to earn enough money in that way so that you would not have to levy any direct tax. Take our water system here with 145,000 people. Should not we charge enough money to make, in round figures say what it would cost to run this city for three or four months, say

a million dollars a year? We have our gas system. We are making now about thirteen or fourteen hundred dollars a day from a certain concern. Of course we do not make that every day in the year. But that will amount to about forty thousand dollars a year. Sometimes they do not use that much and then we have to blow our gas. But shouldn't we make another million dollars there. Then if we had the lighting system we can make money out of that. I believe that all public utilities ought to belong to and be operated for the benefit of those who pay for them, who, after all, foot the bills. That is my personal belief. We might be able to get rid of this bug-a-boo of taxation if we did that, because the private individuals that are now operating these public utilities must make money out of them, otherwise they could not pay 8 per cent for their money, and they could not continue to extend their systems, and continue to increase their capital. We should have a commission to run these utilities that should have some authority, composed of men who knew something about the business, men who were engineers and not laymen, who are just concerned with saving a few dollars. Take the case of an obsolete generator, where it would be more efficient to junk the old one and install a new one that would render better service and make more money for the city, why this commission could have authority to throw out the old one. I believe that commissions ought to have power in all these matters. That is my own personal opinion about it. I would like to know what the rest of you think about it.

MR. KIERNAN (Sacramento): My city, Sacramento, is compared to Paris with respect to her wonderful shade trees. In fact, we have a great deal of struggle every time we attempt to remove a shade tree. The Council has been forced to

hold public hearings about every shade tree that is removed. A date is set for hearing the application, and people who desire to remove the shade tree must show a good cause for doing so, otherwise we know all about it through the columns of the Sacramento Bee. I can show you, in Sacramento and other cities where they have put electroliers right under shade trees, and half of the light is lost in the shade tree. It is both an injury to the shade tree and a waste of public funds in the initial expense and secondly in maintaining the lights. Formerly we had these antiquated five light bracket chandeliers. Today we have a straight metal staff, with a good globe at the top. And instead of a solid globe that cost real money to replace every time that it was broken, we are using a design where, if a panel of glass is broken, we slip that out, put in a new panel and we are only out a few cents.

MR. RICHARDS: I desire to call attention to the fact that it is entirely a matter of business administration, whether these utilities pay or do not pay. Mr. Beck has called your attention to some of the difficulties with which the city government, of which he is a member, is confronted in Long Beach.

And when we get into the municipal ownership matter, we are facing these difficulties, and we are getting requests from people who are not business people. We ourselves, as city councilmen or city officials, are not able to give a hundred per cent efficient service. If these municipal plants are conducted in an efficient manner, they will pay just as much as private concerns do. The gentleman here has called our attention to one important thought in connection with that, and that is that we will be able to prevent the constant tearing up of our streets where the service is coordinated under the head of a municipal department. But, as Mr. Beck has said if Long Beach put

in all the lights that they are asked to install, that in itself would be an extravagance. Now, it becomes entirely a matter of business administration and must be considered entirely from a business standpoint as to whether public utilities are going to pay or not.

MR. KIERNAN: Could I reply to this gentleman, I think he would be interested: I really worked this problem out in conjunction with our engineers, in connection with our lodge hospital. In the one institution there are thirteen or fourteen buildings, and naturally they have a lot of sewer pipes, water pipes, steam pipes and so forth connecting the various units from the main power and machinery plant. Well, we found out that by building connecting tunnels and running all those pipes, exposed, in those tunnels, we saved a lot of expense and difficulty in the future. Now, this discussion is very timely. I am glad that it came up, because this problem can be considered in a new community that may be a large city some day. The next time you put down a street, investigate the practicability of putting a tunnel in the center of that street, to not only carry the sewer lines but conduits for water pipes and gas pipes and electric wires. They have done that in European countries two centuries ago. That is one thing where the cities of California, progressive as we are, are still lacking. Now, private people are doing it in these large hospitals. They have done it on three jobs already. In those institutions you can go the length and breadth of the grounds, and when a man wants to fix any pipe, all he has got to do is to take out his tools and fix it. And the city that begins work along those lines will be the real city in America which will be a standard for all the rest of our cities.

THE CHAIRMAN: I think we will have to proceed with the program. It is part of our duty now to make the selection of

one of our members for the Nominating Committee to nominate officers for the League for the coming year. Has any one nominations for this member of the Nominating Committee? We must select some one for this department.

MR. W. HARMON (Oakland): The thought occurred to me that there is quite a bunch of us here from all over the state, and in order that we all have a chance to participate, when it comes to voting on whoever the nominating member of this organization shall be, I think we should be a little careful. I might say that I am from Oakland, California. I am the superintendent of streets up there and the city engineer both. We from the northern part of the state feel that you gentlemen from down south here are going to give us everything we are entitled to and a little bit more. And we want to be just as liberal toward you as you are toward us. And my suggestion is that each member here who is a delegate, and is entitled to a vote in this part of the organization, drop his card in a hat and we will shake the hat up and draw a name out of the hat.

THE CHAIRMAN: How does Mr. Harmon's suggestion meet with the views of this body?

MR. BARZELLOTTI: I move that it be adopted.

MR. BECK: I second the motion.

A DELEGATE: Will that conflict with any rules prescribed? Or is there a rule prescribed?

THE CHAIRMAN: I really could not say, but I see no reason why that would not be all right.

(The procedure for voting as above outlined is carried out and the name of Mr. Alexander Beck of Long Beach is drawn from the hat.)

THE CHAIRMAN: Mr. Beck, you are on the nominating committee to meet with the others. (Applause).

DISCUSSION

following the address

by HON. BOYLE WORKMAN

President of the Los Angeles City Council

touching upon

ALTERNATIVE SPECIFICATIONS—GASOLINE TAX LEAGUE PROGRAM AND OTHER MATTERS.

THE VICE-PRESIDENT: We must not run over our time any more than is necessary. Are there any questions you desire to ask of Mayor Evans? We surely appreciate the enlightening talk made by Mayor Evans.

The next thing on the program will be a paper, in which we are all interested, especially every councilman, on the subject of "The Misuse of Petitions in Public Improvement Work." I will not go into details of it. We have with us, to discuss that subject, the President of the Los Angeles City Council. He was an old man when Cabrillo came around in 1662. (Laughter.) The Hon. Boyle Workman will address you upon that subject. (Applause.)

(At this point Mr. Workman addresses the Convention, his address being in writing.)

MR. WORKMAN: I want to say just a word in closing: I appreciate very much this opportunity of appearing before the League of California Municipalities, in convention assembled, and as representing the largest city in our end of the state, I welcome you to this particular section of the state. We are all Californians and we are all working for the good of California, and this is the organization that gets us together on common ground. In preparing legislation to be presented to the Legislature in the last two years, I have been very closely in touch with Fred Wheeler who is a member of our city council, and we always secured a response from the League of California

Municipalities, and when they backed up a thing it was something that was for the good of the whole state. And I want to say, in closing, that I think this organization is a wonderful organization for putting through improvements that are needed in cities. It is a wonderful organization for the city officials to get together and discuss their troubles and decide upon what is the best thing to be done. I am very glad of this opportunity. (Applause.)

SECRETARY LOCKE: There are over 900 registered delegates and 129 cities represented at this convention. Mr. Ashburner, City Manager of Stockton, sends a special delivery letter, which I have just received, in which he says, "Dear Mr. Locke: Things look pretty squally now for getting away, so I am sending you a copy of my paper for Wednesday morning. If by any chance I am unfortunate enough not to get there, please have someone read it for me." (Secretary Locke reads the paper of Mr. Ashburner on the subject, "Co-ordination of the Departments in the City Government.")

THE VICE-PRESIDENT: Friends, I have tried to keep the discussion within limits that we might not overlap but I find that we have a few minutes at this time to spare for discussion. I feel that in justice to the officers of this organization it is only right to let you know, in addition to what Mr. Locke read here in his paper yesterday, the amount of work done by the League for the different

municipalities, in appearing at Sacramento and other places, to try to put into effect your ideas and the ideas that you have expressed, both publicly and privately in the meetings of the California League of Municipalities. This organization, I might say, as I have mentioned it before, is a clearing house for municipal ideas. All municipal knowledge does not reside in this town or that town, or even in our town. Frequently delegates from the smaller places and less important places at least in population and wealth who have studied questions which interest the different municipalities have arrived at very good solutions. More than once we have been the recipients of such solutions which have been most gratefully received by the larger cities. We owe much to the smaller towns and their representatives who come here, year after year, for many of the best ideas presented to us. I have often seen that exemplified in the discussion of certain problems that the big fellow is at sea, and some country delegate gets up and says, "Our town had that proposition, we had the same condition and we did so and so, and that did not work very well, and then we changed it to so and so and it worked fine." I remember on one occasion that the cities of this state had floundered helplessly upon some proposition, and a delegate from one of the smaller towns got up and told what his town had done, and it paved the way for a general reform along that line. And as we get together in the different sections and discuss these problems, it puts us in possession of facts that we can take home and present to our local governments. And Mr. Locke and Mr. Mason, and these gentlemen who have been at the head of this organization, acting for you while you have been at home, I venture to say that you are not aware of the immense amount of labor that they have done, and the work done

by the attorneys and the engineers who have responded to their appeal and tried to whip into proper form something to be presented to the Legislature that all the cities and towns of the state might be benefited thereby. I simply say on their behalf—they do not say it themselves, but I will say it for them—that the officers of this organization, together with the Legislative committee members who have given their time and paid their own expenses frequently to go to the places of meetings, have done this for all of the delegates to this convention. And I want to pay this tribute to Mr. Locke and Mr. Mason and the members of your Legislative Committee. (Applause.)

MR. CLARK (Delano): I have sat here for the last two days and listened to the speeches that have been made in this room, but being a councilman, I find that I am interested in every department of the city government. I have not heard speeches made that pertain more to the other departments, and while I am just as much interested in the health department and the others as anybody, I have been disappointed in the fact that I have not been able to hear the speeches in the other departments, and I am wondering whether matters of legislation, the different matters that are to be brought before the Legislature are to be open for discussion in this general assembly, or whether they will only be taken up in these other departments. Several matters of legislation that it seems to me are of importance to all of the cities of the state, and it might be of interest to the men that attend these meetings in this room, as well as to the men who attend the meetings in these other departments. I have in mind two or three propositions myself which I think are of vital importance. No doubt a good many of them have been taken up in the other departments, but there

has been no discussion before the meetings here. One of those questions is a matter that was touched upon just a few moments ago in the matter of the petition, for instance, for street paving. Under the laws as they now exist, as I understand it—and we have had a little experience along that line—we are confined to receiving bids on one type of pavement. The suggestion was made here that the engineer determine the type, leave that matter up to him, and then the Council act upon his recommendation. That is very good, but it seems to me that it would be a much better proposition if we had our laws fixed so that we could advertise for and receive alternative bids instead of having to receive bids upon one particular type of pavement. That is one thing that I had in mind.

Another thing that is of vital importance to the cities of this state is the

question of fines. Under the rulings of the court and the Attorney General the fines that are collected now in the cities, because of the fact that they are collected for the violation of the state laws, must be turned over to the counties, which is certainly a great injustice to the cities. The cities employ their city Recorder and their city officers, to make the arrests, and they employ their City Attorney to prosecute the cases, and yet, when those fines are collected, they are turned over to the county, which is certainly an injustice to the cities. That is a matter, it seems to me, which should be rectified by legislation. And another thing that I think is of importance: We have a gas tax in this state—and I know that there are people with various ideas along that line. Under the present law, that gas tax is apportioned to the counties, according to the number of automobiles in those counties.

Statement of the Ownership, Management, Circulation, Etc., Required by the Act of Congress of August 24, 1912

Of PACIFIC MUNICIPALITIES, published monthly at San Francisco, California, for April 1, 1926.

State of California,)
City and County of San Francisco) ss.

Before me, a Notary Public in and for the State and County aforesaid, personally appeared Wm. J. Locke, who, having been duly sworn according to law, deposes and says that he is the Editor of the Pacific Municipalities and that the following is, to the best of his knowledge and belief, a true statement of the ownership, management (and if a daily paper, the circulation), etc., of the aforesaid publication for the date shown in the above caption, required by the Act of August 24, 1912, embodied in section 411, Postal Laws and Regulations, printed on the reverse of this form, to wit:

1. That the names and addresses of the publisher, editor, managing editor, and business managers are:
Publisher, A. Carlisle & Co., 251 Bush Street, San Francisco.
Editor, Wm. J. Locke, Chancery Building, San Francisco.
Managing Editor, Wm. J. Locke, Chancery Building, San Francisco.
Business Manager, H. A. Postlethwaite, Chancery Building, San Francisco.
2. That the owner is: (If the publication is owned by an individual his name and address, or if owned by more than one individual the name and address of each, should be given below; if the publication is owned by a corporation the name of the corporation and the names and addresses of the stockholders owning or holding one per cent or more of the total amount of stock should be given.)
H. A. Mason and Wm. J. Locke, Chancery Building, San Francisco.
3. That the known bondholders, mortgagees, and other security holders owning or holding 1 per cent or more of total amount of bonds, mortgages, or other securities are: (If there are none, so state.) None.
4. That the two paragraphs next above, giving the names of the owners, stockholders, and security holders, if any, contain not only the list of stockholders and security holders as they appear upon the books of the company but also, in cases where the stockholder or security holder appears upon the books of the company as trustee or in any other fiduciary relation, the name of the person or corporation for whom such trustee is acting, is given; also that the said two paragraphs contain statements embracing affiant's full knowledge and belief as to the circumstances and conditions under which stockholders and security holders who do not appear upon the books of the company as trustees, hold stock and securities in a capacity other than that of a bona fide owner; and this affiant has no reason to believe that any other person, association, or corporation has any interest direct or indirect in the said stock, bonds, or other securities than as so stated by him.

WM. J. LOCKE, Editor.

Sworn to and subscribed before me this 22nd day of March, 1926.

(SEAL)

(My commission expires June 28, 1927.)

ALICE SPENCER, Notary Public

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CITY OF PUEBLO COLORADO

FIRE DEPARTMENT

SAMUEL CHRISTY, CHIEF

January 5th, 1925.

(Attention Mr. Julius Pearce)

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We are today mailing you a photo of "Our Old 39" which is the 39th car built by your company and has been in continuous service since June 12th, 1911, therefore it has served 15 years this coming June.

This car has responded to over 4000 alarms and is still answering all first alarm fires out of our Central Station, and from all appearances will last 15 years more, during this entire period the car has received only one general overhauling and then only minor replacements were necessary (The bill being \$22.80) for parts.

We believe this record is a perfect score.

Respectfully,

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Since June, 1911, the thirty-ninth car built by the American-LaFrance Fire Engine Company has answered every first alarm fire in Pueblo, Colo.

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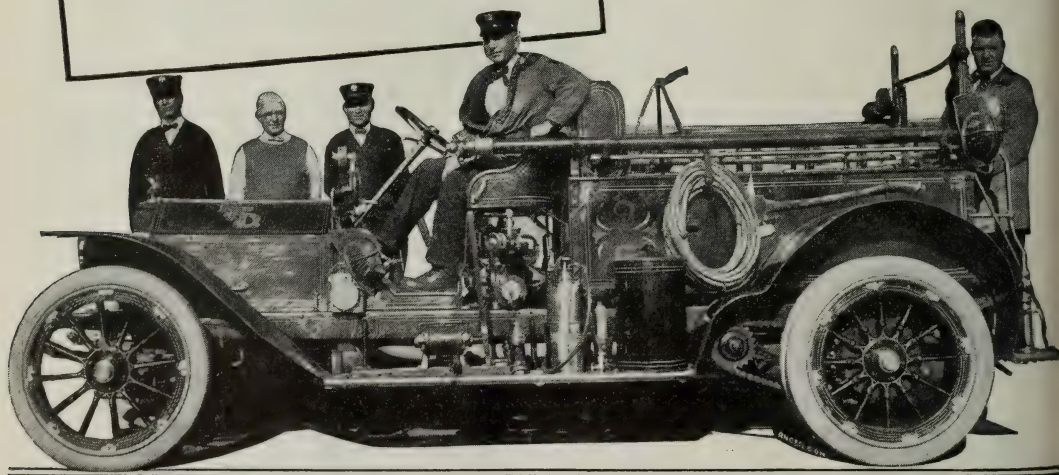
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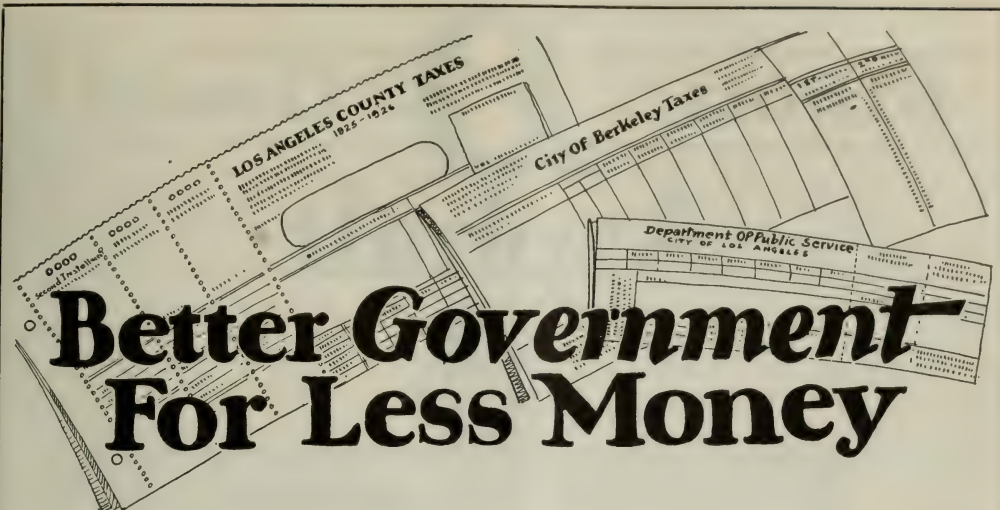
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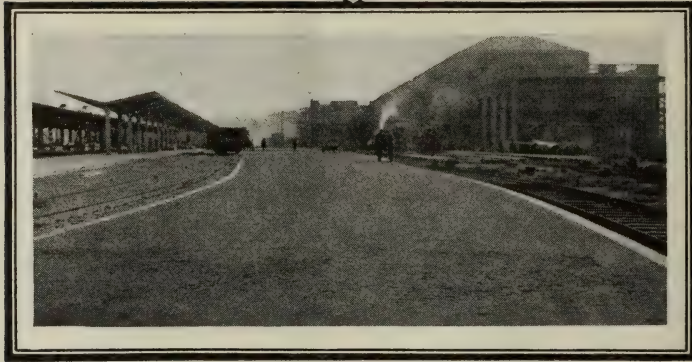
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Union Oil Company
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Asphalt Pavements *are* Correct in Principle.

(Continued from page 100)

In many ways public meetings are a better medium of contact with the public than the press for the reason that it is more direct and personal. It gives the people an opportunity to confer directly with the manager and the manager an opportunity to confer directly with them. It also tends to break down the imaginary barrier between the public and the manager and to personalize the relationship between the public and their government. The public meeting is by far the most democratic way of forming this contact for differences of opinion can be expressed and arguments advanced sustaining these differences.

There are three city publications commonly employed to present municipal information to the community. They are: the budget, the annual report and weekly, semi-monthly or monthly papers.

If the annual budget were made attractive enough to induce the public to study it it would perhaps be the most comprehensive and certainly the most unbiased manner of communicating municipal information to the people. The budget is a guide or chart which defines or directs the course of the city government for a year and contains much information of the public interest. I do not believe, however, that it will ever become a very popular medium of communication since the average citizen is too busy to make a study of it.

The annual report, as it is generally presented to the public, is as dry and uninteresting as the budget. If these reports were smaller and contained more pictures and charts and fewer figures they would be more generally appreciated.

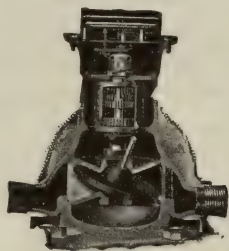
One of the easiest methods by which the public can keep posted on activities of the city government is by attending the meetings of the city council, for it is at these meetings that policies are discussed and legislation enacted which

affect the community at large. However, unless there is a lot of acrimonious debate it is seldom that the public avails itself of this opportunity. In the early New England states the town meeting used to be the most important institution in the community. It was a clearing house for argument and opinion and the meetings were well attended by the people. In the Swiss cantons there is no substitution for the public gatherings in defining community policies and discussing community problems. The meetings of our legislative bodies in the cities of this country are not given the attention of the public which they deserve.

In addition to the ordinary mediums of contact with the public the city charter of Monterey provides that the city manager may appoint such advisory boards as he may deem desirable to assist and advise him in his work, providing the members of such boards shall receive no compensation.

Pursuant to this provision of the charter I have appointed a municipal advisory board of twenty-three members, consisting of two classes of membership; first, ex-officio members and, second, members at large. The ex-officio members are the ex-mayors of Monterey and the heads of the various community organizations of which there are twelve at the present time represented. The heads of the organizations hold office during their incumbency as heads of their respective clubs. The members at large are appointed for a period of one year.

Through this board the city manager is able to consult frequently with the representatives of the people and to learn their wishes and, second, he receives advice and counsel which such a representative organization is capable of giving on major municipal problems. There is no other city manager charter in the state which provides for the appointment of such a board and while our experience in



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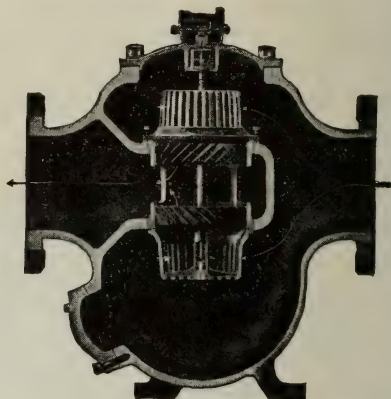
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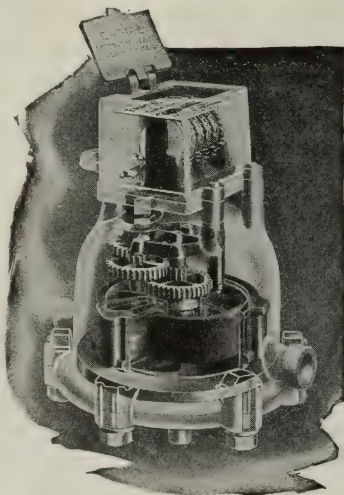
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Monterey is not sufficient to estimate the value of such a board we believe that it will go a long way in establishing that intimate contact with the public which the city manager should have.

Discussion by T. J. Allen, Coronado

Mr. Dorton has so well covered the subject that he leaves little for me to add.

There is no question but that voters and taxpayers are entitled to know what their City government is doing. There is no doubt either but that the press is the best medium through which the public can be informed. The question of who should furnish the press with news is subject to considerable discussion.

In large cities, as you all know, there are reporters who have special "beats" such as the Court House, Police Headquarters, City Hall, etc., and it is the business of these reporters to ferret out every scrap of news in their respective assignments. In small cities, like the one I come from, the Editor-in-Chief attends Council meetings, comes to my office and then writes up most of the stuff that goes into the weekly "Journal."

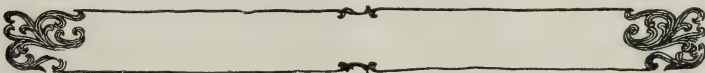
Our policy in Coronado is to give him "all the news that's fit to print." The paper appreciates this attitude and in many instances has rendered valuable service to the administration. As Mr. Editor said to me, "It is the obligation of a newspaper to advise the public of all that is going on, regardless of whose toes might be stepped on. We also realize our power in shaping public opinion. Furthermore we are human and when you give us the news that we feel it our

duty to print, we will co-operate with you to our fullest extent."

In other words, keep the press on your side by playing 50-50 with them. During my two years at Coronado, the press has never failed to support any administration proposition.

Mr. Dorton says that besides the press we have public meetings, City publications, and Council meetings, by which the public may be informed. Dayton, Ohio, and Salt Lake City have excellent city monthly papers, with wide circulation but to what extent they are carefully read, I am unable to determine. Annual reports and budgets are practically negative quantities as means of information, unless you get the press to assist by publishing the essential data contained therein. Public gatherings and Council meetings are well attended when they can compete with a movie show for excitement. Perhaps the Swiss can do it, but we Americans are living in an era of speed and prefer to absorb the news along with our breakfast and coffee.

Regarding the City Manager's part in furnishing this news, it is the better policy to keep your ears open and mouth shut until the Council has spoken. The City Manager cannot serve two masters and we all know he is subservient to the Council and who are, as far as he is concerned, the representative of the public. There's where the intimate contact should be, and not with public at large. Assist your press, but keep out of the limelight by not attempting to assume the role of official spokesman.



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OFFICES IN 30 CITIES

(Continued from page 98)

stated that pension funds as now constituted are "the biggest jokes in municipal government."

From the foregoing brief summary of conditions regarding existing pension funds throughout the United States, we can conclude that the condition is alarming. The collapse of numerous municipal pension funds and the pending collapse of others must impress us with the fact that we can not much longer maintain an ostrich-like attitude regarding this serious problem, and that steps must be taken to remedy the situation.

The Experience of the City of Alameda.

The city of Alameda has recently had an experience with its pension funds, which may be of interest and of value to other municipalities.

In 1922, it was realized that the pension funds of the city of Alameda were in an unsound condition. As in the case of the pension funds of practically all other cities they had been established many years previously in a haphazard amateurish way. Instead of being created upon a scientific actuarial basis, these pension funds were nothing more than philanthropic makeshifts actuated by a desire to protect the city employees, without much concern as to ultimate costs. The men were assessed 2% of their salaries and the city obligated itself to supply any deficiency which might occur from year to year, by contribution from the budget. It was not appreciated that the city was assuming an obligation which would inevitably lead to embarrassment. No provision was made whereby the city would be building up a reserve fund from year to year, which would be sufficiently large twenty-five or thirty years hence to meet the excessive demands, as they matured. Not having done that, it was inevitable that the burden would ultimately become almost overwhelming and out of all proportion to the payroll.

In June, 1922, the city of Alameda employed Consulting Actuary Wm. Leslie of San Francisco to investigate and report upon the pension funds of our police and fire departments respectively. A scientific analysis was made of the situation and it was found that there was a combined deficit of \$186,695.00 in the two funds, and that this deficit was increasing from year to year at an alarming rate. It was evident that unless steps were taken at once to remedy the situation, the city would find itself before a great many years in a most hazardous position financially. The existing city council might easily have ignored the situation, and shown no concern as to future difficulties of these funds, as such difficulties would occur many years after the present council had passed from office. It was felt, however, by the council that it had a definite duty to perform and that it should take steps at once to correct the faults, in order to avoid embarrassment to future councils and taxpayers. It was of course impossible for these large deficits to be made up by the city at once, or even within a short time. The only solution was to create an inviolate fund to which the city over a long period of years could make annual payments sufficient to correct the deficits.

The actuary employed by the city, after an exhaustive study of the vital statistics concerning the personnel of the police and fire departments, made certain definite recommendations as to what should be done to correct the situation, among which was the requirement that to take care of present deficiencies an annual installment must be set aside for thirty years at 4% compound interest, amounting to \$8,350.00; and that to take care of present and future obligations 5% of the payroll should be contributed to the Pension Fund from year to year, 2% of which should be contributed by

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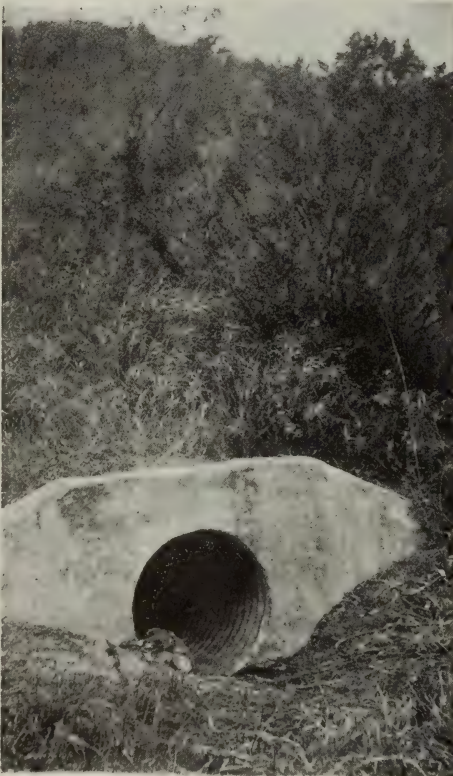
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the employees and 3% by the city. The city council at once began to lay aside these sums, and there has been accumulated since 1922, a reserve amounting to date of approximately \$30,000.00.

The present city government realized, however, that there was a certain danger that future administrations might not appreciate the necessity of making these annual contributions and as a result the plan might fail. As a consequence, an ordinance was drafted embodying all the features recommended by the consulting actuary, and particularly those requirements having to do with contributing each year the definite sum of \$8,350.00 to correct the deficits already incurred. This ordinance was very carefully drawn after much study by the members of the city council and the city officials. It was passed on December 17, 1924, and became effective on January 16, 1925, and the city administration complimented itself on having accomplished a splendid piece of constructive work.

At this point, however, there entered the element always present in the conduct of public affairs, and on account of which, it will always be impossible to conduct public business, no matter under what form of government, in as efficient a manner as is possible in private business. I refer to the element of popular appeal, which in many instances disregards considerations of efficiency, facts, scientific investigations and other intellectual phases of a problem. In this instance, shortly after the passage of the above mentioned pension ordinance, certain groups of firemen and policemen decided that the provisions of the ordinance, which were the same as had been in vogue for many years, were not generous enough as to terms of payment, periods of service required, etc. Consequently, an attorney was employed by the men

to embody their ideas in an ordinance to be submitted to the people for passage as an initiative ordinance. The principal items in which the ordinance drafted by the men differed from that passed by the council were as follows:

The council's ordinance provided retirement on half pay at the age of sixty years, after service of twenty years.

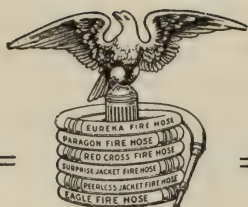
The initiative ordinance made it mandatory upon the city to retire a man at half pay after 25 years of service regardless of age, if he so desired. In other words, a man entering at the age of twenty-one years, could retire at age forty-six on half pay.

Men disabled in service were retired under the old ordinance at $\frac{1}{2}$ salary, while under the new ordinance this was raised to 2-3 salary.

Upon the death of a pensioner under the old ordinance, the pension ceased, while the new ordinance requires the continuation of the pension to the widow during her lifetime. In the case of a man retired for injury on duty, he received under the old ordinance $\frac{1}{2}$ salary, while the new ordinance gives him 2-3 salary.

Under the new ordinance, should a man die from natural causes while in the department his dependents would receive certain stipulated lump sums, according to his years of service up to a maximum of \$1,000.00 after 10 years service. In other words, a definite life insurance phase was inserted, which was not in the old ordinance.

After having made the above generous and marked changes as to amounts of pensions, terms of service required, benefits, etc., the men inserted in their ordinance, with the assistance of their attorney, who was evidently not an actuary, the actual section of the old ordinance, in its entirety and word for word, which had to do with the setting aside each year of \$8,350 to pick up the



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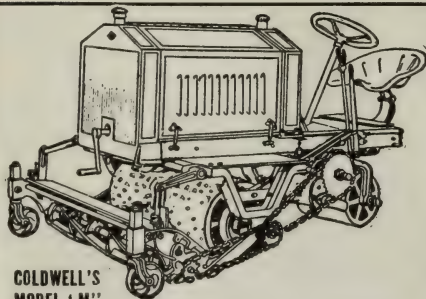
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deficit already incurred under the old conditions. This showed an utter lack of knowledge and appreciation of the principles of actuarial science, as it is evident to anyone giving the matter the least consideration that the deficit under the changed pension allowance would far exceed that under the old conditions.

I have purposely enumerated the above features of the two respective pension ordinances in order to develop the idea that when such ordinances are drawn by laymen, no consideration is ever given to actuarial science.

The ordinance as prepared by the men of the police and fire departments and described above was drawn in its final form and presented to the voters on March 10, 1925. The city council prepared a 300 word argument against the ordinance, which was published on the ballot in accordance with law. Certain arguments were given to the press from time to time. The council felt, however, that it was not incumbent upon them to assume the responsibility or expense of carrying on an active campaign to defeat the new ordinance. The men of the fire and police departments, by means of contributions carried on a very active campaign, with appeals through newspapers, bill boards, moving picture slides, dodgers, red paper firemen's hats for all the children in town, and various

other means. On the day of the election between 150 and 200 off-duty firemen and policemen from Oakland, San Francisco and other near-by cities invaded Alameda and worked at every polling tent and throughout the city with automobiles. When the votes were counted it was found that the new ordinance had carried by the following vote:

YES.....	3,194
NO.....	3,027

A very narrow margin when one considers the organization, funds and efforts used in putting it over.

Conclusions.

This experience of the city of Alameda is simply another illustration of the statement made at the beginning of this article that in the great majority of cases, municipal pension systems are the results of groups of men in certain well organized departments banding together and requesting or demanding protection against sickness, accident or old age. They are not to be criticized for this natural and commendable interest in their own welfare. The citizens and taxpayers, however, should be more alert to protect their own interests and to support their public officials in their attempts to place such pension funds on a sound actuarial basis.

No pension system should be adopted unless it is the result of a thorough scientific study by a qualified actuarial expert.

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Investigation into the durability of various pavement types shows that asphaltic concrete is by far the most durable and longest-lived pavement ever constructed. This 4" pavement, for example, laid in Turlock, California, in 1910, has given service for sixteen years, without incurring any upkeep costs whatever.



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(Continued from page 96)

of the peace, that his court is not a police court but a justice's court and hence that fines collected by him must be paid over to the county treasurer.

This condition of the law presents two problems; one as to what is to be done about fines collected in these cases in the past and paid into city treasuries, the other as to procedure in the future.

District Attorneys are now contriving ways and means of recovering the fines that in the past have found their way in the city treasuries, but so far as I know no action has yet been brought for their recovery.* The city recorder is subject to suit for recovery of county moneys received by him and paid over to the city (*County of Tulare vs. Fenn*, 47 Cal. A. 425), but any bond of the city recorder would only run to city or town, and the District Attorney would have to depend upon a personal judgment for his recovery.

I suppose that an action in the nature of an accounting would lie against the city. The board of trustees cannot safely audit or allow any claim for the fines collected in excess of available money in the treasury that may be legally apportioned or appropriated for that purpose. (*Mun. Corp. Act.—Sec. 865-767.*)

In the event of a judgment against the city for fines received, the county would then be confronted with the problem of collection. Under act to provide for the payment of judgments, etc., approved Mar. 23, 1901 (*Stats. 1901, p. 794*), it appears that in such cases the Board of Trustees can be compelled to include the entire or a fractional part of the judgment in the next tax levy. However, Sec. 18,

*Since the date of the above address, the county of Tulare has brought suit against several of its 5th and 6th class cities to recover fines paid into their treasuries. The writer is not advised as to the progress of the litigation.

Act. XI of the court, provides: That no city shall incur any indebtedness or liability in any manner or for any purpose exceeding in any one year the income or revenue for any such year without the assent of two-thirds of the qualified electors thereof, in other words that no liability or indebtedness in any year shall be paid out of the revenue of any future year. This constitutional provision necessarily limits the act of March 23, 1901, so that a judgment for a contractual indebtedness of past years could not be figured in the tax levy. (*Arthur v. City of Petaluma*, 175 Cal. 216.)

This limitation does not, however, protect the city from liabilities cast upon it by law, as for instance liability for torts, salaries created and fixed by law, etc. (*McCracken vs. San Francisco*, 16 Cal. 591; *Long Beach v. Lisenby*, 180 Cal. 52.) In all probability cities can be compelled by appropriate action to arrange for the repayment of fines illegally paid to them.

As to fines collected in the future, however, in state law cases, there is no doubt now that city recorders are lawfully required to pay them into the county treasury (except motor vehicle fines). I know of one or two cities that are resorting to subterfuge to secure this money. Their procedure is to bring all possible cases under their city ordinances, even the liquor cases. The objection to this procedure is that ordinances governing identical offenses provided by state law, are unconstitutional under the cases of *In re Sic*, 73 Cal. 142, *ex parte Murphy*, 212 Pac. 30 and *ex parte Mingo*, 214 Pac. 850, although the conviction is good as to the Defendant, if the offense pleaded comes under the state law and the punishment is no greater than that provided by it.

But under the doctrine of these cases and *County of Fresno v. Shaw*, would not the fines be properly payable to the

County as the convictions are upheld as being in effect charges under the state laws?

There is no question but that an immense revenue will be lost to the 5th and 6th class cities by reason of this interpretation of sections 1457 and 1570. There are some 250 cities directly affected. Estimating a yearly average of per city \$1,000.00 in fines, we have the immense figure of \$250,000 annually lost to municipal governments. If the logic of the Shaw cases is carried further it will also deprive the cities of civil fees in those cases where the recorder has concurrent jurisdiction with the Justice of the Peace so that recorders' courts will procure no revenue to the city except in ordinance cases.

Now, you gentlemen know the troubles of a City Board in financing its departments. We are faced with a constantly rising tax rate. Every bit of revenue counts. The loss of a thousand or so dollars per year of revenue is a serious matter.

No sound political economist will contend that the police arm of the government should be used to extract revenue, but on the other hand, there is an incidental and legitimate revenue from all law enforcement and this money should be used to pay, at least in part, the costs of enforcement.

Practical experience has shown that state misdemeanor laws are enforced in cities almost exclusively through the efforts of the local police. The county government contributes little or nothing directly to the solution of local police problems. Accordingly I take it we are all agreed that the cities should have these fines. I am still convinced that the legislature in 1905 thought that the matter was settled for them to have the money. But in view of the court's decision it will be necessary to do some more amending and tinkering to accomplish this end.

The consensus of legal opinion seems to be that the simplest way to accomplish this end is to amend Section 1461 of the Penal Code by adding a proviso to the effect that in hearing state law cases the recorder or police judge shall not lose his character as a police judge and shall not be considered as acting in the capacity of a justice of the peace. I believe there is a movement now pending to present such an amendment by way of an initiative petition, or by legislative enactment, a movement which all our 5th and 6th class cities should be glad to get behind and give material assistance to.

I believe that such a measure will be passed by the legislature or adopted by initiative if presented for the popular vote.

(Continued from page 88)

each an emerald trout pool. This trip can be made easily either on horseback or on foot.

Farther down is Lake Tenaya, a good camping and fishing locality, and still nearer the Valley is the side trip to Hetch Hetchy, the valley that was a miniature Yosemite until the water and power dam of the City of San Francisco converted it into a beautiful mountain lake. This project will interest delegates. So will the whopping big trout in Hetch Hetchy Lake. A good road, built by

the City of San Francisco, makes this an easy trip from the Tioga Road.

Delegates who want additional information about these motor trips will find the automobile club maps useful. By writing to the Yosemite Park and Curry Company, additional maps and information are available. For those who wish to enjoy these trips without the responsibility for driving the car, the stage lines of the Yosemite Park and Curry Company will be found useful. The Company will be glad to furnish information regarding trips and rates to those requesting it.

Pacific Municipalities

A Monthly Review of Municipal Problems and Civic Improvements

OFFICIAL ORGAN OF THE LEAGUE OF CALIFORNIA MUNICIPALITIES



GATES OF THE VALLEY, YOSEMITE NATIONAL PARK.

LEADING ARTICLES IN THIS ISSUE

THE CONTROL OF SMALLPOX

By K. H. Sutherland, M. D.

THE CITY MANAGER AS A LEADER OF POLICY

By Ellen Deborah Ellis

PUBLIC HEALTH ENGINEERING ABSTRACTS

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OFFICIAL ORGAN OF THE LEAGUE OF CALIFORNIA MUNICIPALITIES

Entered as second-class matter March 22, 1913, at the Post Office at San Francisco, California, under the Act of March 3, 1879.

VOL. XL

TWENTY-EIGHTH YEAR

No. 4

Editors.....H. A. Mason and Wm. J. Locke
Business and Advertising Manager.....H. A. Postlethwaite
Editorial and Business Office.....707-721 Chancery Building, San Francisco

Advertising Rates on Application

Address all Communications to "PACIFIC MUNICIPALITIES," Chancery
Bldg., San Francisco, California

April, 1926

A. Carlisle & Co., Printers, San Francisco

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Organized 1897

Affiliated with the Bureau of Municipal Reference, University of California

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Official Printers: A. Carlisle & Co., San Francisco

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OFFICIAL ORGAN OF THE LEAGUE OF CALIFORNIA MUNICIPALITIES

Entered as second-class matter March 22, 1913, at the Post Office at San Francisco, California,
under the act of March 3, 1879.

THE CONTROL OF SMALLPOX

By K. H. SUTHERLAND, M. D.,

San Luis Obispo Health Officer, San Luis Obispo County

This paper is offered with apologies. Just why it was deemed proper that I should discourse on this subject, I do not know. My limited experience has yielded nothing new or interesting to pass on to you, but I have tried to arrange the findings and experiences of others in such a manner that this period on the program will not prove entirely without profit.

The history of variola is that of one of the most constant, extensive, and malignant scourges with which man has been afflicted. It is extremely difficult to visualize a period when smallpox was much more prevalent than measles. For centuries, however, this was true. It depopulated cities and exterminated nations. The tremendous number of persons marked by this disease is evidenced by the following lines from an "Ode to Smallpox" written, I think, by Samuel Johnson:

"Oh! Loathsome and foul disease,
Could there not be one beauty in an age
Not marked by thee."

Nor was the disease a respecter of persons. Louis XV, of France, died most pathetically and miserably of smallpox, shunned as a thing unclean. Smallpox took 60,000,000 lives in the 18th century. In Boston, in 1752, which then had a population of 15,000, an epidemic of smallpox left only 174 persons who had not had the disease.

Probably the first definite mention of smallpox is found in early Chinese medi-

cal literature. According to this account, the disease was introduced into China about 1122 B. C., and since about 590 B. C. had been controlled by the inoculation of smallpox material. In India variolation was likewise practiced in early times, entirely by the priest accompanied by all sorts of incantations. Smallpox is also supposed to have been prevalent from time immemorial among the natives of Central Africa from where it spread by way of the Red Sea to the Arab Tribes. After the introduction of variola into Arabia, it became endemic there, and spread to neighboring regions and thence to Europe.

It appeared in what is now known as France in about the year 541. From the 11th century on, there are increasing numbers of records of smallpox epidemics. The Crusades did much to spread the disease, and the epidemics of that period had a peculiar virulence.

In America, smallpox made its appearance not long after the landing of Columbus, an epidemic being recorded in San Domingo, whence it spread to Cuba and the Antilles. From Cuba it spread to Mexico, through the medium of a negro slave among troops captured and landed in Mexico as prisoners of Cortez. The epidemic started in this way beggars description. In a short time 3½ million people succumbed to the disease. In 1710 about 60,000 persons are reported to have died of the scourge in the capital of Ecuador.

A comparison of these records with

those of modern times, however discouraging the latter may be, shows that "vaccination," the modern method of smallpox control, ranks very high among the beneficial gifts of science to humanity.

Although writers as late as the sixteenth century failed to clearly distinguish smallpox, they recognized the contagious nature of the disease. Isolation in those days was not largely practiced, nor was it carefully carried out, yet it did afford a degree of control for the disease. The laws of Rhode Island provided that all sufferers from smallpox be isolated on the Island of Coasters Harbor, with the result that from 1740 to 1765, no epidemic of smallpox was known in that state. But, on the whole, quarantine has never proved of great avail when used alone, in the general control of smallpox.

As has already been mentioned, varioration was practiced in various forms for centuries, but this method fell far short of the ideal one, for it not only produced the disease with most of its serious symptoms, but also, at times, proved the starting point for an epidemic of disastrous results.

It was reserved for Edward Jenner to give to the world the ideal prophylaxis against the dread disease, which as heretofore stated, represents one of the great triumphs of preventive medicine, the benefits of which can never be estimated.

The story of Jenner's work on vaccination is too well known to repeat in detail, but in 1798 he was able to publish results which proved that the inoculation of cowpox virus into the human produced a "vaccinia" which gave a protection against smallpox. Since then the benefits to be derived from vaccination have been experienced more or less extensively in practically every part of the globe.

Vaccination was introduced into the United States during the year 1800. In July of that year Dr. Benjamin Waterhouse, of Harvard University, vaccinated his own children, and at about

the same time Dr. John Redman Coxe of Philadelphia, vaccinated his oldest son and then boldly exposed him to smallpox contagion. The exhibition of the child's total immunity did much to establish confidence in Jenner's method throughout the country.

So much for the past and its problems. Now it might be interesting to note how the present day officials take knowledge of and profit from the experiences of those generations that have preceded them.

It is a somewhat discouraging fact that in spite of what one might expect, the American public has too often hindered rather than abetted the control of smallpox. As a consequence the health bulletin of the League of Nations announces that there were more smallpox cases reported last year in the United States than in any other country; California of all states, did most to make this true.

About one year ago, Fresno and its environs was in the midst of a rather severe epidemic of smallpox. Dr. A. F. Gillihan, District Health Officer, of the State Board has given me access to his records and allowed me to quote from his resume.

"The first appearance of smallpox in the region around Fresno was in the town of Clovis. The Health Officer of that town, some six weeks after the disease had appeared, described an epidemic that had broken out among itinerant fruit pickers, which was decidedly more virulent than any type of smallpox that had been seen before. The first cases occurred in August. There were 21 in all. The Health Officer of Clovis promptly instituted a vaccination campaign, doing at least 300 himself, and the other physicians doing about 400, so that about 50 per cent of the town was immunized. No further cases appeared.

"Following the Clovis outbreak, smallpox appeared in Fresno City. Cases were quarantined as soon as they were

discovered, and the contacts promptly vaccinated; but on account of the unsatisfactory control of smallpox by quarantine, and on account of the large per cent of non-immunes, the epidemic continued to grow. It was not until the number of non-immunes was decidedly decreased by vaccination, that the epidemic subsided. The first case that could be discovered had its onset on August 24. The number of cases increased in fairly regular amount

until the week ending October 27, when the maximum of 44 cases for the week was reached. Then the decline began, the outbreak ending by the beginning of December. Twenty-five deaths occurred during this time out of a total of 170 cases.

"Of the 170 cases, vaccination histories were not obtained for 6, but fairly complete histories were obtained for the rest, the particulars of which are as follows:

	Recoveries.	Deaths.
History Unknown	1	5
Never successfully vaccinated	129	16
Successfully vaccinated within 5 years	1	..
Successfully vaccinated within 5-10 years	5	..
Successfully vaccinated over 10 years ago	9	4
	145	25

"Of those cases listed in this table as 'never successfully vaccinated,' many had been discovered as smallpox contacts and promptly vaccinated on discovery. But, unfortunately, their discovery and vaccination had occurred several days after their contact with the disease and their infection. Consequently the rash of smallpox developed at the same time as vaccination in about 20 cases. The smallpox did not seem to have exerted any influence upon the normal progress of these vaccinations, and vice versa. It is well known that had these vaccinations been made two or three days sooner than they were, immunity would have had time to develop before the smallpox could have incubated, and the disease would have been arrested or aborted.

"A vaccination clinic was opened in the Fresno City Hall, Sept. 29, 1924, under the supervision of the City Health Officer, Dr. C. Mathewson. This clinic was maintained until the end of November. Two other sub-clinics were opened for a while and altogether over 20,000 vaccinations were done. This does not count the vaccinations done by physicians in their own practice. Vaccinating was begun under the County

Health Officer, Dr. G. L. Long, early in October. It was continued until the end of November, and nearly 27,000 vaccinations were done outside of Fresno City, mostly through the district schools.

"Under the direction of Dr. Telfer, District Health Officer, 37,000 vaccinations were secured in the counties surrounding Fresno County, thus establishing a zone of immunized people.

"A Fresno contact who took sick in Sacramento with virulent smallpox on October 27, and died on Nov. 11, instigated the inauguration of a vaccination campaign in Sacramento which during November secured 2,730 vaccinations.

"In summary. The situation in Fresno was responsible for stimulating vaccinations throughout the entire state in fact, but not taking those into account, it is calculated that the epidemic near Fresno was controlled through the securing of 102,622 vaccinations in the immediate vicinity.

"This of course constituted the main measure of control, but other measures were not neglected. As soon as a case of smallpox was reported, strenuous efforts were made to get those who had been in contact with the patient, vacci-

nated immediately. Cases were promptly quarantined, and any contacts who delayed over three days to get vaccinated were held in quarantine for at least the period of incubation after the last exposure to the case. Contacts who had been vaccinated within three days were released from quarantine, but were kept under observation until the period of incubation had passed. Nurses, attendants, ambulance drivers, and undertakers were all classed as contacts when they had associated with a case either before or after its death. Terminal cleansing was insisted upon, but fumigation was considered useless, and was not required."

DETROIT'S SMALLPOX EXPERIENCE IN 1924.

The outstanding experiences of Detroit during the smallpox epidemic in 1924 are revealed in an interesting and instructive manner in the April-May, 1925, city health bulletin. During the year there were 1,610 cases of smallpox, with 163 deaths, indicating an outbreak of unusual severity. No one with a successful vaccination of less than five years duration contracted the disease.

It is believed by the authors that there were two distinct outbreaks of smallpox during the winter of 1924. The first outbreak which lasted from November to April, was of a comparatively mild character, and was confined largely to the floating population, especially to both white and colored persons who had recently arrived from the southern states. By April 13, the second outbreak was well under way, and from that time until August 31 there occurred 784 cases, with 139 deaths.

In February, on account of unusual prevalence of mild smallpox, and its general distribution in the city, an order was served upon the Board of Education by the Board of Health, requesting that

all children refusing vaccination should be excluded from school for a period of 21 days. When hemorrhagic smallpox became prevalent, therefore, the school children had generally been protected.

The vaccination procedure in districts where smallpox became unduly prevalent is described as follows: "It has been our custom to canvass the residential districts in which there have been a large number of cases and offer free vaccination. Such practice was the rule throughout the winter of 1923-1924. A physician and a uniformed police officer worked together as a unit. A number of such groups would start out each evening about 6 o'clock and work until ten o'clock. They would explain at each household their mission and emphasize the unusual prevalence of the disease in that section of the city, and the possibility that the Health Department might have to place under quarantine a large area in case the citizens did not voluntarily comply with our request for vaccination. In very few instances did we meet opposition. Hundreds were vaccinated every night in this fashion, and many others reported to their family physician for this service. The physician and policeman make a splendid pair. The former quite naturally does the vaccinating while the latter adds dignity to the occasion, and in the more congested areas adds the official tone which precipitates the ultimate decision of the individual that possibly it would be best for him to be vaccinated." During April and May there was even a more extensive vaccination drive and special stations were established throughout the city. Industrial concerns cooperated. "Sixty thousand people casually walked into the corridor of the City Hall and were vaccinated." Within four weeks the incidence of smallpox was below normal expectancy for that time of the year.

The greatest number of cases for both

SUDDEN DEATH OF JUDGE HALL

Coming as a complete shock to the entire community after only a few hours of serious illness, City Attorney D. J. Hall of Richmond passed away at his home in Mira Vista on April 9th at 6:30 p. m. The end came after a slight rally which followed complications of bronchial asthma and infected lungs, which developed a serious stage at 3:30 on the morning of April 9th.

In the death of its city attorney Richmond has lost one of its leading and most energetic citizens. Always ready to lend a helping hand and recognized as an able and competent city attorney Judge Hall leaves many friends, not only in Richmond, but the entire state.

Early in April Judge Hall contracted what was then considered a bad cold and the announcement of his death came entirely unexpected.

Judge Hall was a prominent member of the Harbor Lodge of Masons and the Richmond Lodge of Elks. He was also prominent in the work of the Richmond Y. M. C. A.

Judge Hall has represented the city in all of its important matters since April 1, 1913, when he was first appointed as city attorney. His appearance before the California State Railroad Commission and similar bodies has done much for the City of Richmond. He had an enviable reputation for his ability in street proceeding work and was often called in by neighboring municipalities to assist them in their problems.

He was most active in the Eastbay Municipal Utility district and was prominent in the activities of the League of California Municipalities.

Four years ago, because of his outstanding work in this city, Judge Hall was elected as president of the Association of City Attorneys of the State.

The early struggles for an education

and his ultimate victory over all odds is an inspiration to others. Born in San Francisco on October 24, 1870, he was left an orphan shortly after his birth. He went to live with a family in Humboldt county, which made its home in Arcata and Garberville.

While herding sheep and other work of a similar nature, Judge Hall studied and although his grammar school education had been somewhat neglected, he passed the examination for teacher at Weaverville in Trinity county, when he was only 19 years old.

He taught in the western portion of Trinity county for a number of years, including schools at Weaverville and Lewiston. While teaching at Weaverville he took up the study of law and in 1897 passed the bar examination in San Francisco.

After practicing law in Weaverville for a number of years, Judge Hall was elected as district attorney of Trinity county, which position he held for several years. Upon the death of Superior Judge T. E. Jones in 1904, he was appointed to the unexpired term by the governor of the state. Upon the expiration of the term Judge Hall and his family moved to Redding, where he practiced law.

In 1912 Judge Hall came to Richmond, where he opened a law office at the Point with Police Judge C. A. Odell. The following year on April 1, he was named as city attorney which position he has filled with honor since that time.

Judge Hall's conscientious work in behalf of the city on all matters is appreciated by the city administration, and his loss will be keenly felt.

He is survived by a wife, Mrs. Minnie S. Hall, a son Kenneth D. Hall, and a daughter, Miss Pauline Hall, and a stepson Meinert J. Shurtleff.—*From the Richmond Herald.*

Recent Court Decisions of Interest to Municipalities

Municipal Corporations—City of Sacramento—Ordinances—Right to Conduct Private Business—Revocation of Right—Notice and Hearing—Constitutional Law. An ordinance of the city of Sacramento which provided that licenses issued under an ordinance providing for the licensing and regulating the carrying on of certain trades, professions, occupations, etc., including restaurant keepers, might be cancelled by the city council at any time without notice to holders thereof, upon satisfactory evidence to the city council that the holders had violated any of the conditions of the license, or had violated any law of the United States or of the state of California or any ordinance of the city of Sacramento, and that thereafter the person whose license had been so cancelled should not be entitled to receive any business license of any character from the city of Sacramento except upon a permit from the city council, is unconstitutional and void in that it fails to provide that such revocation cannot be had without notice or hearing.—*John Angelopoulos v. H. C. Bottorff et al.*, 49 Cal. App. Dec., 495.

Workmen's Compensation Act—Injury to Municipal Employee on Barge—Jurisdiction—Maritime Law. The Industrial Accident Commission has jurisdiction of a proceeding for recovery of compensation by one, in the employ of a city, who was injured while working as a deckhand or donkeyman on an anchor barge, or scow, used as a tender to a municipal dredger owned and operated by the city, which barge was used in stringing out tow-lines and hoisting anchors, and in transporting such material as was necessary, and was capable of being towed anywhere about San Francisco bay, or even beyond the Golden Gate, where, at the time of the injury to the employee, the barge was tied up at one of the city's municipal wharves, and was afloat on navigable waters, and the employee was injured while engaged in cutting wood for the purpose of supplying fuel for a boiler on board, and at a time preliminary to the barge being towed to such places along the shore as might be required.—*City of Oakland v. The Industrial Accident Commission of the State of California*, Vol. 71, Cal. Dec., 296.

Beneficial Purpose Derived from Use of Water—Value—Estimates—Evidence. The purposes for which the water is to be used by the plaintiff in eminent domain and the beneficial purpose to be derived therefrom are not to be taken into consideration in determining market values. Availability may be shown, but the purposes and uses, necessity and values of or to the plaintiff in such actions are wholly irrelevant matters, since these matters all tend to base the estimate of market value on what the plaintiff can afford to pay rather than forego the exercise of the right of eminent domain.

Necessities of Public—Fixing Value. In a condemnation proceeding the necessities of the public are never taken into consideration in fixing the value.

Market Value—Necessities of Plaintiff. In such proceeding the land may be adapted for a reservoir site, but its value for such purpose would be qualified by the prospect, greater or less, of anyone seeking to build such a reservoir. Its market value is affected by such contingency, but it is not to be determined by the fact that the party seeking to condemn it has already determined to build a reservoir, and to

THE CITY MANAGER AS A LEADER OF POLICY

By ELLEN DEBORAH ELLIS

Mount Holyoke College

Should the city manager be a leader in the formulation of policy? Is it proper that he should be "in politics"? Or must he remain merely an executive responsible for routine operation only?

To all those who are interested in the difficult problems of leadership in democracy the discussion that has been developing during the past three years in the pages of the NATIONAL MUNICIPAL REVIEW with regard to the place and functions of the city manager is of peculiar significance. I refer in particular to three articles, of which the first, "Thoughts on the City Manager Plan" by Mr. J. W. Routh, appeared in the REVIEW for April, 1923, the second, "Municipal Government in the United States: Some Impressions," by Mr. I. G. Gibbon, in the REVIEW for February, 1925; and the third, "Cleveland's City Manager," by Mr. Norman Shaw in the REVIEW for December, 1925.

TENDENCY IS TOWARDS POLICY- DETERMINATION

The writers of both of the earlier articles deplore the growing tendency on the part of the city manager to become a policy-determining official. Mr. Routh suggests a definite alternative in "the enlargement of the importance of the mayor, the president of the council, and [in the] recognition of him as the real political leader of the city." Mr. Gibbon, while he declares that the machinery for deciding policy should in our cities receive greater attention than has heretofore been given to it, and urges that "some means be devised wholly outside

the city manager for the public advocacy and defense of measures of policy," is not explicit as to how these things shall be brought about. Mr. Gibbon's chief objections to the assumption of the policy-determining role by the city manager are first, that too much authority and responsibility are thereby concentrated in one person, especially in one not elected by popular vote, and secondly, that the security of tenure of the manager, and as Mr. Gibbon fears, the permanence of the whole city manager plan is endangered by the fact that the city manager in becoming the public spokesman for the policies he advocates is thereby embroiled in local politics. Mr. Gibbon feels also, if I rightly understand him, that the formulation of policy by the city manager—the executive branch of the city government—is to be discouraged as entirely opposed to the American traditions of the separation of power and the determination of policy exclusively by the legislative branch of our government.

It is true that the determination of policy by an executive official is contrary to American tradition; but there is a growing conviction at present that American tradition in this respect is notoriously bad and unfortunate. Our whole governmental machinery devised as it was under the potent spell of the doctrine of natural rights and of the separation of powers, almost wholly precluded at the

start the possibility of any adequate leadership, and it is only very slowly and with infinite difficulty that a new machinery is here and there being worked out to allow of even a moderate degree. If also, responsible leadership in any real sense is ever to come to America it will in all probability have to come first to the smaller units of government which are more flexible and more susceptible of change than are the larger governmental areas. Leadership is everywhere and always, moreover, a one man affair, and if coupled with commensurate responsibility need alarm no one, least of all a member of that country where it has been carried to so high and so beneficent a point. It is indeed frequently pointed out that even in the English cities real leadership has come more and more to be concentrated in the permanent officials of the departments, whose counterpart Mr. Gibbon finds in the city manager, in that the standing departmental committees and the borough councils are now more and more habitually accepting their advice.

FORMULATION AND EXECUTION GO HAND IN HAND

In the American city manager plan the responsibility of the manager to the council is absolute and immediate, and inasmuch as in this plan the principle of the short ballot prevails and the people are in a position to center the general responsibility for the municipal government directly on the municipal council, it may also be said that the indirect responsibility of the manager to the people is very real. It would seem also that this indirect responsibility of the executive to the people through the legislative branch is just the relationship that obtains in the English system of cabinet government. I realize that Mr. Gibbon and others, seeing in the city manager only the business expert

and the permanent executive official would be loath to agree that such responsibility to the people is a desirable thing, inasmuch as through it the manager would become embroiled in city politics,—to the impairment, as they believe, of his efficiency and independence.

Is it not, however, an equally serious question whether persons can be found with the ability required for the city managerships of our larger cities who will be without their own very definite and highly useful ideas of what to do in the city, as well as of how it should be done? In other words, in the highest executive posts do not the formulation and the execution of policy necessarily go hand in hand, and are not those who are to put the policy into effect in many ways the best judges of its practicability? And so far as their efficiency is concerned, is there not about an even chance of its being reduced through their becoming identified with city politics and through their loss of initiative and interest in being reduced to the place of mere executive? It will be remembered by those familiar with Mr. Lowell's *Government of England* with how great emphasis he declares that the first requisite in a successful responsible government is that those who are held responsible should be themselves the formulators of the policy that they put into effect, since, as he points out, no true responsibility can be felt or assumed for a plan or a policy that is not one's own.

The present objection to the city manager's assuming a policy-determining role is doubtless in large part the result of the fact that when the commission and the city manager plans of government were instituted in America the dominant motives were the desire to free the city from its subservience to national politics and political parties, and the conviction that local government is pre-

eminently a matter of business rather than of politics. And there can be no doubt that the city manager movement has done a great deal to divorce city government from national politics and to put it on a business basis. The present tendencies in the office of the city manager, however, indicate very clearly that political leadership, conceived from the point of view of city issues and policies, is necessary and inevitable in "all progressive communities" and the question therefore becomes: Who is to assume the role of political leader in our cities?

CAN THE MAYOR FILL THE BILL?

Mr. Routh suggests that the office of mayor should be "exalted" and that he should be given authority to initiate legislation, with a limited veto power, and even, perhaps, the power to nominate and remove the manager with the consent of the council. Thus, he believes, can political leadership, to him an essentially legislative function, be obtained, and at the same time the legislative and executive functions be kept quite distinct, a state of things which he advocates as necessary to the success of the manager plan, and which Mr. Gibbon, also, favors as in harmony with American tradition. In such a plan the city manager becomes simply an executive in the narrower sense of the term. It would even appear that for the complete separation of the executive from the legislative advocated by Mr. Routh, he must be deprived of the right, now usually exercised to be present at the council meetings to hear and to be heard, that role to go supposedly to the mayor. This as already pointed out is doubtless in accord with the part that Mr. Gibbon would assign to the city manager, although Mr. Gibbon would hardly, I think, be willing to see the mayor, who, like the manager, is only one man as over against the group, assume the

leading role in determining policy, as Mr. Routh would have him do.

Whether an efficient and interested executive can be reduced so entirely to the executive function and so completely separated from that of policy formulation is a very great question as I have stated above, a question so serious indeed as to vitiate to my mind the position taken by both the writers I have been quoting. And in consideration of it and of the other points also stressed in this paper, the need of responsible leadership in our cities as in all the other units of our governmental machine, the actual tendency on the part of our city managers to become such leaders, as illustrated pre-eminently in the present situation in Cleveland, and the structure of cabinet government elsewhere as a successful type of responsible government, I am led to the belief that the simpler and more natural solution of this very complex problem lies along the following lines rather than along those either directly advocated, or more vaguely suggested by Mr. Routh or Mr. Gibbon.

The first requisite is, I believe, the recognition of the fact that in the city local issues and interests, which are only local politics under another name, and business efficiency must inevitably be linked together, as indeed politics and business methods can never be divorced in any governmental unit however large. It must be clearly understood that although the analogy of the city to the business corporation is closer in many respects than is that of the larger units, something more than "mere mechanical efficiency" is needed for good government, I here quote Mr. Routh, and that that something is, to quote him again, political leadership in "community thinking on community affairs." And the second requisite, I believe, is the recognizing of the city manager not only as the executive expert to put policy into

effect, with a free hand to employ other experts as department heads, and special help whenever and wherever it may be needed; but also as the political leader in the formulation of policy, for the carrying out of which he is strictly accountable to the council and through the council to the electorate. Stress must, however, be constantly laid on the fact that inasmuch as many of the means which the manager must use in executing his policy are highly technical the electorate must be trained not to judge too quickly on the detail but to wait for the accomplishment of the program as a whole.

Strong justification for these beliefs is furnished by the present experiment in city manager government in Cleveland, where in spite of the fact that, to quote Mr. Shaw, "the theory of the city manager scheme and the spirit of the Cleveland charter . . . both alike, call for a dominant council and a manager who is their appointee and servant charged only with the duty of carrying out the policies they determine . . . [and] responsible directly to them for the administration only of the policies they decide upon," as a matter of fact quite the opposite situation prevails and "the whole stage of municipal affairs is occupied by Manager Hopkins" who has taken the lead in the determination of policy and has in consequence become involved in City politics. Mr. Shaw feels, if I rightly understand him, that in spite of Mr. Hopkins' success, which he acknowledges to have been very great, "the theory of his actions is bad, and the precedent dangerous" and that "the only safe

course is to restore the council to its full policy-determining power." May it not be however that it is the theory of the city manager plan itself that is at fault, and that the present Cleveland experiment, taken together with similar experiences elsewhere and interpreted in the light of the considerations that I have set forth in this paper, should be accepted as indication that that theory must be reformulated along new lines somewhat like those that I have here proposed?

To the successful working out of such a scheme many other movements of political reform must necessarily contribute. Some are already doing so as integral parts of the city manager plan itself, more especially the short ballot, proportional representation and the extension of the merit system. And, finally, in this as in all efforts for political betterment the supreme contribution must be the education of the voters not only in civic affairs in general, but also in the realization of their own limitations and in the willingness to be led by the right kind of leader. At best all these things come slowly; but there is every reason to believe that if a proper conception of the role of the city manager can be evolved, the plan itself will prove to be peculiarly well adapted to the needs and the possibilities of democracy in our cities. There is hope also that through the experimentation of the American cities with this plan we may make a real beginning of truly responsible government under efficient and interested leadership, which may subsequently be applied to our larger areas.—From the *National Municipal Review*.



DISCUSSION

following the address

by HON. BOYLE WORKMAN
President of the Los Angeles City Council

touching upon

ALTERNATIVE SPECIFICATIONS—GASOLINE TAX LEAGUE PROGRAM AND OTHER MATTERS.

(Continued from the March Issue)

MR. CLARK:

The incorporated cities receive absolutely none of that gas tax, and it seems to me that it is only fair, inasmuch as the citizens of every state pay their proportion of that gas tax, that the cities should receive some of that gas tax. It is true that that money is expended by the counties for the improvement of county roads, the law providing that it must be expended for that purpose, but the cities also have their streets to take care of, and it is just as important that those streets be kept up as it is that the county roads be kept up. We would not ask, of course, that all of that gas tax money be given to the city, but there certainly can be nothing wrong about the cities receiving their portion, according to the number of automobiles that each city possesses, and the counties taking their portion in the same way. And that matter, it seems to me, should be regulated in such a way that it would enable us in the cities to get our fair proportion. There was a bill before the Legislature at the last session to take care of that matter, but it was never enacted in the law. Those were the three main subjects that I had in mind.

THE CHAIRMAN: Judge Hall will answer one of your propositions.

JUDGE HALL: I am glad that the gentleman touched upon the question of alternative specifications because that is one of my hobbies, and has been for a

long time. At the two regional conventions, held previous to the last session of the Legislature, one at Fresno and one at Sacramento, the regional conventions endorsed the proposition of alternative specifications. Major Kirkbride and myself worked hard and earnestly upon an Amendment covering that question, which would permit the Councils to provide for the calling for bids on alternative specifications. It looked to be a sensible, reasonable, natural thing to do. We do it in every other line of public work. If the Council calls for bids for any public building, or any work outside of street work, they can call for bids on alternative specifications. I thought we would have easy sailing in getting a thing of that kind through because it seemed so reasonable and so sensible that the property owner would have the right to compare, not only the kind of paving but the price as well, and the proposed act provided that the Council could call for bids on various types of pavement on public work, and then when the bids were received and opened, a time would be set for a hearing upon the question of awarding the contract and the property owners would have the right to come in and be heard as to what type of pavement they thought should be put down, having a chance to compare it with the cost. It looked natural. The bill was introduced in the Legislature and the next thing I heard about it was that a call

had gone forth to kill Hall's measure. And I went to Sacramento to find about it, and I found out, from a gentleman who was a Senator and who, apparently, was representing certain of the contractors or some of the patented pavement people, that there was a very violent and positive objection to this measure. And I inquired why and I found this to be the fact: Coupling it up now with Mr. Workman's proposition about the petitions. This gentleman said to me, "Why, we could not get street work petitioned for because, what would be the use of our sending out men circulating petitions asking for our pavement, and paying the expense of circulating those petitions, if the Council then could turn around and call for bids for some other fellow's pavement, and we might not get the contract?" And the contractors said, "We are against it also because street work is secured due to the fact that men go out and get the property owners to sign petitions, calling for street work. And if there is no incentive for petitions, there is no incentive for a call for street work, and, therefore, less street work would be done." I also found that there was a measure pending which provided for alternative specifications for sewer work only, arising out of a fight in southern California between the Terra Cotta men and the concrete pipe men. So I got them to join with me and amend their bill, so as to make it apply to all kinds of public improvements under the 1911 Act and the Vrooman Act and the various Acts. I appeared before the Committee of the Assembly, and there was some attempt to amend my measure to eliminate everything except sewers. That was easily beaten in the committee and it went upon the floor of the Assembly, with the unanimous recommendation "do pass" of the Committee. The next thing I knew I received word that the bill had passed both Houses and was

ready for the Governor's signature. And when I came to investigate, I found that it had passed both Houses after it had been skinned again in the Assembly and cut down to the sewer pipe only. And the sewer pipe bill, I believe was signed by the Governor. We have got that far any way. But I think I can successfully challenge any man to produce any sound reason why we should not incorporate, in the Improvement Act, this provision as applying to all kinds of street work. It is the sensible, the reasonable and the proper thing to do. The property owners have the right to determine the question of the quality and the price also. And I do not believe that contractors and material men should have the right to over-ride the rights of the people who are paying for the work, and certainly no man who is going to pay for the work could object to an opportunity of expressing his choice of the different kinds of pavement. And I would like to see this convention go on record in favor of such a measure, and that our Legislative Committee be instructed to press that matter before the next session of the Legislature. It would certainly be a reasonable and sensible addition to our street law. (Applause.)

THE VICE-PRESIDENT: I want to say that we have already started in Los Angeles the very thing that the Judge is talking about. We have a procedural ordinance. It was talked of for several years and I helped to whip it into shape with our attorneys and engineers, and we are proceeding now, Judge Hall, in the pavement of a street under this ordinance. The name of the street slips my mind at this moment. We picked out a short street, as a test case, and the matter is now in court as to whether we would have the right to do that or not. That is another way to accomplish the same end. I introduced the ordinance myself in the city Council, and got it

through after two years, not of contest, but of getting the different ideas into coordination. We got the advice of the best legal talent and opinion that we could find. We had a man test it in order to take it through the courts and find out what we were doing. The idea is eminently a proper one and a good one. Any further discussion upon that matter?

SECRETARY LOCKE: With regard to the other points touched upon by the gentleman from Delano, may I just ask him to give a little reflection to this fact that we have so much work to be done up here at our annual conventions that it is absolutely necessary, in order to get out the maximum of benefit from these conventions, that we divide the meetings up in the manner which has been done for the past ten years, realizing, however, that, just like a three ring circus, it is impossible to give your attention, at any one time, to anything more than what is going on in one of the three rings. Nevertheless I think, if the matter is thoroughly considered from all stand-points, you must concede that the maximum of benefit from these meetings can be secured in the manner in which we have been conducting the sessions for the past ten years, and that is to, so far as possible, provide that the general body will take up for discussion and consideration those matters of peculiar or particular interest to the general body, the Councilmen, Engineers and Street Superintendents, and that the City Attorneys devote their particular attention to questions which are peculiarly of a legal character. Now we know it is true that questions like zoning and the establishment of setback lines and the disposal of fines imposed by Recorders Courts are matters of general interest, as well as of particular interest to the attorneys. Nevertheless, it is necessary, in order to secure the most that we can in the way of benefit from these meetings to arrange the pro-

gram as we have done for several years past. I am quite confident that, after you have given the matter thorough consideration, you will agree, after all, that the plan we are following is really best for all concerned. It is regrettable, it is true, that we cannot be at all these sessions, but that, of course, is impossible. And if, on the other hand, it was provided that all these topics should be discussed before the entire body, you can see, readily, that we would be here for two or three weeks. And that, of course, again would be impossible.

Now, just a word about the question of petitions. I had my attention called to this matter quite recently. And I discovered that there had been a decision from the Supreme Court on the question, of which decision I was not aware. The Supreme Court, it appears, has passed on this question of petitions in California three different times. On the first two occasions they indicated that, when a petition relative to an Initiative and Referendum measure, or a recall, had been filed with the City Clerk, that the City Clerk would have the right to recognize the desires of those who had signed the petition, in the first instance, to have their names withdrawn from that petition. They indicated that very strongly, while not squarely passing on the question. But it was my impression, from that fact, and from the fact that that appears to be the decision of the courts throughout the country, that the right existed in the signer of a petition, to withdraw his name, or have it withdrawn, up to the time that the Clerk of the Legislative body had certified to the sufficiency or insufficiency of the petition to that Legislative body or to the City Council. But it appears—and this is the decision to which my attention was recently drawn—that our Supreme Court has squarely passed upon the point, and has declared that the City Clerk has no right

whatever to recognize the withdrawal or attempted withdrawal of names from a petition, and that, when a petition for an initiative or referendum measure or a recall has been submitted to him, he must accept it and recognize it, on its face, and cannot take any cognizance of any attempts which may be made to have names withdrawn. Now, so far so good, but I want to just call attention to one other matter relative to petitions which is, I think, quite significant. We all know that the petition itself is a matter of not very much significance, in one sense, for the very reason that people can be easily persuaded to sign a petition for this, that or the other thing, and very frequently in cases where the matter under consideration has not been properly presented to them. Take, for instance, the matter of re-classification under zoning ordinances. Very frequently this will happen: A little delegation consisting of two or three citizens will come to the door, and they will represent to the owner of property that someone is attempting to have a certain lot in the neighborhood reclassified so that he can establish some kind of a business which, they will contest, is objectionable, or desirable, as the case may be. The facts will not be truly and properly presented to the householder or the property owner, and he will be disposed to sign the petition largely for the purpose of being accommodating and neighborly. Perhaps these parties who have persuaded him to sign the petition will not have departed from him more than fifteen or twenty minutes when he will again be waited upon by another delegation, who will make entirely different representations to him, and, finally, persuade him that it is his duty, as a neighbor and a citizen, to withdraw his name from the first petition. And, consequently, when these matters are presented to a city council, it simply leaves the council in a chaotic state, and they

do not know exactly what they should do, under the circumstances. You cannot place much reliance on petitions, when you realize that they are often secured in that fashion. Now, in order to overcome that objection in a measure, the city council of Alameda was induced to change the method of securing names to a petition with respect to re-classification in zoning matters, so as to provide that this should be the method: Anyone desiring to have certain property re-classified or re-zoned, as you might say, is required, first, to appear before the City Clerk and declare his intention to circulate a petition, and when that intention is declared and filed, in the proper manner, with the City Clerk, he then has notices posted in the district affected, within a certain radius, 275 feet I think it is from the exterior boundaries of the property proposed to be re-classified. That notice is merely a notice to all persons interested in the district, that it is proposed to circulate a petition for re-classification for a certain specific purpose, and the person desiring to circulate a petition for such classification is not permitted to commence the circulation of his petition until those notices have been posted five days or more. So that everyone in that district is put upon notice that it is intended, by certain interested parties, to circulate such a petition. And thus they have an opportunity to prepare themselves and they know exactly what is coming and what they will be expected to do. And they have an opportunity to get together and to discuss the matter and come to some determination. So that they are not taken unawares or by surprise, so to speak, and are fully prepared when they are waited upon by the applicants and the petitioners, and are ready or at least should be ready and forewarned and able to give an intelligent response and a response which will represent their true feelings

in the matter, so that they will not be improperly persuaded to sign or to withdraw their names. I think that is a very important matter in connection with this subject of petitions. We know, I think, that petitions, as they are now presented to the City Council, usually mean very little, and signify simply that someone has gone to a lot of trouble to go around and get signatures. (Applause.)

MR. CLARK: I would like to ask Mr. Locke one question in connection with that: Who pays for the expense of posting these notices of the intention to circulate petitions?

SECRETARY LOCKE: We intended to charge a fee but the expense is so insignificant that we did not bother with it. We are only required to post six or eight or ten notices. We had a number of forms struck out. We do not bother about making a charge, but we would be justified in charging though.

MR. BIDWELL (Sacramento): There is one matter in connection with the proceedings of the Convention about which I felt very much of the same mind as the gentleman from Delano does a year or so ago, but I believe the difficulty can be overcome to a great extent, by the publication in our magazine, soon after the meetings here of as much material that is delivered and discussed here as it is possible to get into the magazine. I mean this, that the Magazine might be enlarged for a month or two, in order to get the material in it that has come before these meetings. Many of the articles, as it is now, do not get before us for six or eight months, owing to the size of our Magazine, and in that way we lose the advantage and the effect that would come if they were put before us sooner. I think if that was taken into consideration it would help out materially.

MR. WHITMORE: I would like to inquire, what proportion of these papers

before the general convention in the different departments are published in our monthly Magazine? Are all of them edited and published?

SECRETARY LOCKE: As far as possible all of them are published. Unfortunately, there are some matters that come up before the other departments which are not submitted to us in such shape that they can be published. But I should say that 85 or 90 per cent of all the papers and addresses that are made before the entire body are published in the Magazine. That excludes matters pertaining to public health. But if there be no objection, I think I can say to this Convention here assembled now that it will be our endeavor to carry out the suggestion made by Mr. Bidwell, and enlarge the Magazine for say the next three months, so as to cover, in the next three months at least, all the proceedings of this convention. (Applause.)

JUDGE HALL: I would like to ask if it would be a matter of very great expense to publish a pamphlet containing all the proceedings?

SECRETARY LOCKE: It would cost a lot of money. We did that on one occasion and it ran into about five hundred dollars. It would probably cost a thousand dollars now to do that, and whether it would be worth while to incur that expenditure is questionable. Of course that is done by other organizations.

MR. CLARK: There was one other proposition that I would like to bring before this convention: Our peace officers at the present time are up against a hard proposition in the enforcement of the liquor laws, for the simple reason that, under the rulings of the court, I believe that the search warrant does not entitle them to enter a building until they have gained permission to enter it, which practically paralyzes their authority and they really can accomplish nothing. And inasmuch as it is a very difficult matter

any way, to enforce the liquor law, unless we can empower our peace officers in some way so that they may enter premises when they have a proper search warrant, it seems to me that we are going to get nowhere in the enforcement of that law. And from what I have learned at this Convention, any recommendations that are made by this League have considerable weight with the Legislature. And for that reason, all these measures that are of importance to the cities in the state should receive the endorsement of the League, in order that we may go before the Legislature and wield our proper influence there. There is no question but what we will never get anywhere in the enforcement of the liquor law under the late rulings of the court.

THE VICE-PRESIDENT: I would suggest, Mr. Clark, that you put the subject matter in the form of a resolution and have the regular Resolutions Committee take it up. That is a matter, that, strictly speaking, would not come before this Convention, but if the Resolutions Committee wishes to handle it, it would come before us.

MR. CLARK: Would the resolutions come before this meeting?

THE VICE-PRESIDENT: Certainly, after they have been before the Resolutions Committee first.

At this time the Secretary will read communications from the various cities desiring the next convention.

(Thereupon Secretary Locke reads telegrams and communications from officials and citizens of Merced, Santa Cruz, Sacramento and Yosemite Valley.)

THE VICE-PRESIDENT: It will now be in order to decide on the next place of

meeting. Nominations will be open.

Mr. Church, Mayor of Santa Cruz, thereupon placed in nomination for the place of the 1926 Convention the city of Santa Cruz. Mr. Fox of Woodland urged that the city of Sacramento be chosen. Mr. Frank Merritt placed in nomination the city of Oakland. Mr. Bidwell spoke a few words on behalf of Sacramento, expressing the opinion that a city was the proper place in which to hold meetings of the League, being seconded in his remarks by Mr. Kiernan. Then Mr. Wagoner of Merced recommended Yosemite as the place of meeting for the next convention. Mr. Clark of Delano stated that he also thought the Yosemite Valley would be the best place in which to meet. Mr. Linn of Merced seconded the remarks of Mr. Wagoner and urged the selection of Yosemite, giving to the delegates a scale of prices charged by the hotels and resorts in the Valley.

Thereupon Mr. Hopewell made a talk, outlining the advantages of the city of San Bernardino as a convention city, for the year 1927. The Secretary of the Chamber of Commerce of San Bernardino also spoke in favor of San Bernardino for 1927. Mr. Graves of Hanford recommended that the convention for 1927 be held in the city of Hanford.

Thereupon the Convention proceeded to ballot on the choice of location for the convention for the year 1926, and upon roll call of the delegates it was found that Yosemite had received 39 votes, Sacramento 34, Oakland 1 and Santa Cruz none.

THE VICE-PRESIDENT: Yosemite will be the next place of meeting.

Thereupon the meeting adjourned.



THE BOULDER DAM PROJECT

Interesting Commentary, in the Form of a Letter from J. R. Mason,
a Well Known Financial Authority on Municipal Bonds,
to Secretary Mellon.

San Francisco,
March 30, 1926.

Hon. Andrew Mellon, Secretary,
United States Treasury,
Treasury Department,
Washington, D. C.

My dear Secretary Mellon:

While I agree absolutely with your recent public statement issued in connection with the proposed Boulder Dam, that in general sound public policy in America as elsewhere is to encourage private initiative and not to have government ownership or operations of projects which can be handled by private capital under proper governmental regulations, still, those of us living in the West and understanding the problems and necessities of an arid and semi-arid section of the world as our Western states are, are far from convinced that private capital is capable of handling the irrigation needs and problems of the West.

Hon. Herbert Hoover has publicly stated that the waters of the Colorado River once impounded will be capable of irrigating neighboring lands, which when irrigation is provided for these will be capable of supporting thirty million additional population on lands now waste and arid.

Mr. Hoover has also publicly stated that the Federal Power Commission in considering the Colorado River program decided that should the time ever come when there is not water enough for both irrigation and power, that the power wheels should close down temporarily, as it was the Commission's judgment

that the maximum number of homes out under the blue sky is of greater importance to the arid and semi-arid West than a limitation of those homes in favor of hydro-electric development.

It is not denied by anyone that most failures in irrigation and reclamation undertakings throughout the West have been made by private companies and private ownership.

Private capital is undertaking no new irrigation development work of any consequence in any part of the West today as far as I know.

The water supply question for both cities and our arid and semi-arid valleys is the issue of paramount importance and interest before the people of California and the West today.

This same water in many localities is sought by private companies for power development purposes, and generally speaking, to permit private development of our Western rivers with power as the principal object in view, is little, if any better business than to slaughter cattle just for the hides and bones, as was done in the early history of the West, and is still being done in some parts of the world.

The City of Los Angeles and Southern California generally, are going to need water for domestic and garden purposes from the Colorado River long before it can be made available, even should construction commence immediately. Lands tributary to the river, both in California and Arizona, are not only entitled to, but have a right to insist upon provision

being made to irrigate those lands, and the Palo Verde and Imperial Valleys are admittedly entitled to the protection and improved water supply which regulated flow of the river would insure.

It is my understanding that every other nation on earth, containing arid and semi-arid land has practically from time immemorial loaned its credit to the construction of irrigation systems to bring such lands into productivity.

I understand that in India alone, the British Government has issued Government bonds to finance the construction of irrigation systems for some 40,000,000 acres, or more than twice the land irrigated in all the United States today.

Because of the fact that desert or semi-desert land is not good security *until* the irrigation works are built and people actually on the land, it is, of course, absolutely necessary that the Government or State loan its credit, pending construction and settlement of irrigation projects.

Hon. Herbert Hoover has suggested that one of the most deplorable things about our Government is that less than seven per cent of our total Federal expenditures go for productive or repro-

ductive purposes, and that the best way to reduce taxes is to increase taxable wealth.

Is there any other activity our Government has ever engaged in which can show greater benefit to the people and more permanent new wealth created per dollar invested than the United States Reclamation Service?

The Colorado River project involves not only the adjustment of the interest of seven states, and a division of water between the United States and Mexico, but it also involves the equitable adjustment of irrigation and power factions, which it seems to me can only be adjusted and protected by the Federal Government.

Substantially the same problem affecting irrigation and power development as presented on the Colorado River is arising in other sections of the West, and I trust the enclosed booklets will be read by you, and that if there should be further data of any kind desired by you, you will not hesitate to command me.

Cordially and sincerely yours,

(Signed) J. R. MASON.



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PUBLIC HEALTH ENGINEERING ABSTRACTS

The Relation of Sanitary Engineering to Public Health. Chas. F. Mebus, Member Advisory Board, Pa. State Health Dept. *Listening Post*, Vol. 3, No. 33, December, 1925. pp. 7-10.

This popular article contrasts sanitation with living conditions as they were a generation or so ago and as they are today with particular reference to the improvements made in those lines of work under the direction of engineering bureaus. The writer concludes with this statement: "It is quite evident, therefore, that sanitary engineering plays a most important part in the health of the people, and that modern living conditions could not be maintained without the help of the sanitary engineer."—Arthur P. Miller.

New Sewage Disposal Plant at Kitchener. Stanley Shupe. *Canadian Engineer*, Vol. 49, No. 22, December 1, 1925. pp. 587-589.

The area of Kitchener, Ontario, is 3,425.5 acres, of which 2,400 drain naturally to the Mill Street sewage farm, which comprises 27 acres of slow sand filtration beds and 1 acre of trickling filters. All surface water is excluded from the sanitary sewers in order to reduce the volume to be pumped, and the sewage is therefore a strong one. In 1924 an activated sludge plant of 750,000 gals. d. w. f. capacity was constructed on opposite sides of the town, the area served including a tannery and an abattoir, both of large capacity. The plant consists of coarse screens, detritus tank, fine screens, 210 ft. of 12 ft. aerating channels designed to give a rotary motion to the flow (5 hrs. retention), clarifier equipped with a Dorr thickener and a combined sludge digestion and storm water tank. It is the first plant in Ontario with all the modern features of the activated sludge system. The cost of treatment is \$22.00 per million gals. compared with \$45.00 per million gals. at the sewage farm. The effluent is discharged into the Grand River.—Rudolph E. Thompson.

Progress in the Purification of Water Supplies. Norman J. Howard, Bact. in Charge Water Purification, Toronto, Ont. *Contract Record*, Vol. 39, No. 52, December 30, 1925. pp. 133-138.

Progress in water purification during 1925 is reviewed, the phases of the subject dealt with being double filtration, slow sand and rapid sand filtration, sedimentation and coagulation, algae growths, pipe incrustation, softening, ultra-violet ray treatment, sodium iodide treatment and goitre, water standards, B. coli test, and removal of taste from chlorinated waters. Superchlorination and dechlorination has recently been experimented with at Toronto as a means of correcting the latter difficulty and this process will be tried on a large scale in the near future. Employment of double filtration to cope with the ever increasing pollution is extending.—Rudolph E. Thompson.

The Typhoid Carrier Problem. Henry B. Costill, M. D., Director of Health, N. J. State Dept. of Health. *Public Health News*, Vol. 11, Nos. 2-3, January, February, 1926. pp. 51-56.

The writer describes the importance of having an epidemiological study of all known cases of typhoid fever and paratyphoid. The Widal test for differentiating between carriers and normal individuals is faulty and is relied upon too much by physicians and sanitarians. Typhoid carriers can be detected among convalescent cases by requiring that two negative cultures of both stools and urine be taken at intervals not less than one week apart. Regulation 34a of the New Jersey State Department of Health providing for keeping typhoid patients under observation until discharges are free from typhoid bacilli is quoted and the importance of all local health departments enforcing it discussed. Certain restrictions which provide for the protection of the general public are set forth as necessary in the supervision of typhoid carriers.—E. S. Tisdale.

Sewage Irrigation. From Report of Consul at Kingston, Canada, dated February 8, 1926.

This is a general article reviewing the method and some of the advantages and disadvantages of sewage disposal by broad irrigation.

Various means of applying the sewage to the soil are described, such as the ridge and furrow system, the pipe and hydrant system, the bud and ridge system and the catch work system.—J. K. Hoskins.

Preliminary Treatment of Sewage, as Affecting Rates on Trickling Filters. Almon L. Fales. *American City*, Vol. 34, No. 3, March, 1926. pp. 270-272.

The writer discusses preliminary treatment of sewage by grit chambers, coarse and fine screens, sedimentation, septic tanks, chemical precipitation, and activated sludge process prior and accessory to trickling filter treatment.

It is stated that grit chambers and screens are deficient in removal of suspended solids as compared with sedimentation; that in the case of septic tanks the fact of objectionable odor and possibility of scum being present in the effluent make their use of doubtful efficiency.

While chemical precipitation is highly efficient it is thought that the increase in allowable filtration rate is more than offset by the additional cost of this treatment.

While the success of the activated sludge process prior to the trickling filter at Birmingham, England, is mentioned, the author states "it does not follow from the Birmingham experience that the activated sludge process can be profitably employed for preliminary treatment of the relatively weak sewage of this country."

The conclusion is reached that in the majority of cases in this country efficient sedimentation will be the most economical preliminary treatment before trickling filters at municipal sewage treatment plants handling the usual sewage and wastes.—H. N. Old.

Dumping of Garbage at Sea Resumed by Oakland. Anon. *Engineering News-Record*, Vol. 96, No. 5, February 4, 1926. pp. 194-195.

This article is a brief review of the history of garbage disposal methods of Oakland, Alameda and Berkeley, California.

In Oakland some twenty-five years ago unsuccessful attempts extending over one year were made to dry and burn the garbage in concrete ovens. Tide lands were next used as dumping grounds until last July except during two or three years when dumping at sea was practiced until the garbage steamer was wrecked. Sea dumping was resumed when the city entered into a five year contract in July, 1925.

Garbage and trash amounting to 250 tons daily are collected by the city, hauled to the wharf and dumped into skips, which in turn are emptied into one of two steamers. The steamers have a displacement of 2,000 tons and are provided with 14 side dump compartments all above the water line. The refuse is dumped some 30 miles beyond the Golden Gate, after which the compartments are cleaned with steam and salt water. The contract price for disposal is 87 cents per ton. A considerable amount of refuse is burned on the tide flats near the garbage wharf, thus reducing the quantity of light floating matter.

Alameda dumps its garbage and trash directly from scavenger wagons into marsh lands at the west end of the city. To prevent nuisance the six foot dump is sprayed with fly poison, covered bi-weekly with six inches of earth, and a rat trapping and poisoning campaign is conducted. Sanitary fill maintenance averages \$100 per month.

Berkeley, prior to 1915, dumped its garbage at sea. In 1914, an English high temperature type incinerator was constructed, consisting of three furnaces, a combustion chamber boiler, blowers and 150 feet stack, which was used with some interruption until 1924. Since that time the sanitary fill method of disposal on marshy ground has been practiced. Collections amount to fifty tons of garbage daily and twenty-seven tons of street sweepings.—J. K. Hoskins.

The Heat Drying of Sludge at the Baltimore Sewage Works. C. E. Keefer. *Engineering News-Record*, Vol. 96, No. 6, February 11, 1926. pp. 238-240.

The experience of Baltimore in converting sludge into fertilizer base over a period of 6½ years by contract with an operating company is narrated in detail.

The drying plant consisted of two heat dryers, conveyors, grinders, screens and accessories. The dryer was a rotary, boiler plate kiln 6' in diameter and 40' long with stationary shelves on the interior. A hand fired furnace at the inlet end supplied heat to the rotating kiln.

The plant was first operated by a private company under a five year contract beginning February 15, 1916, the city to deliver air dried sludge to the contractor and to receive 81 cents per ton for the heat dried product. The net loss to the contractor, until the plant was destroyed by fire in 1917, was \$2.23 per ton. After the fire the net loss per ton of heat dried sludge was 50 cents. No difficulty was encountered in disposing of the product to fertilizer companies who used it as a base for commercial fertilizer.

Because of these losses a modified agreement was entered into at the end of the first contract whereby the city should pay all operation deficits. Losses continued and the city finally shut down the plant in January, 1923. Detailed financial statements and quantities of sludge treated are presented in tabular form.

During 1922 farmers hauled away 6,272 cu. yds. of air dried sludge which cost the city to load on their wagons 15 to 20 cents per ton as compared with \$2.69 a ton for heat drying it.

The experience indicates that heat drying was an expensive method of sludge disposal for Baltimore. The high costs are attributed to excessive overhead expenses, cost of hauling the material to its destination, sand and gravel content of the air dried sludge and its low nitrogen (2%) content.—J. K. Hoskins.

How Nature Destroys Microbes in Water. Fernand Arlong, M. D. Fire and Water Engineering, Vol. 78, No. 24, December 9, 1925. pp. 1283-1284 and 1317-1318.

Pollution of the soil, the air and the waters is almost continuous, but spontaneous combustion takes place, without which life would become impossible in a medium infected by the microbes of putrefaction and of a wide range of diseases. Bacteriologists following Pasteur, Chauveau and others, have given to this phenomena of the destruction of bacteria; that is, the dissolution of the microbes, the term "bacteriolysé" or "bacteriolucid."

The natural destruction of microbes has been attributed to the light of the sun, and more particularly to the ultra-violet rays and its calorific rays. Desiccation by the oxygen in the air, and mechanical action have also been considered factors in the destruction of microbes. Apart from the physical agents of destruction, microbes are found that may attack other microbes and destroy them.

In 1917 d'Herelle filtered the discharges from a dysentery patient in convalescence through a Chamberland porcelain filter and demonstrated that the addition of a few drops of this filtered solution prevented the development of dysentery bacillus in a cup of culture. This destruction of the culture is what is commonly termed "the d'Herelle phenomena." The virus of d'Herelle is so small that it will traverse the porosity of the closest porcelain filter, and the failure of a culture to develop or the destruction of the visible microbes is the only visible evidence we have of its development. Since the virus produces the destruction of the microbe which it devours, it is now commonly designated as the "bacteriophage."

In the cure of certain diseases such as dysentery, paratyphoid, typhoid fever and the like, the bacteriophage plays an important part in destroying the bacteria which produce these diseases.

A number of experiments were performed relative to the destruction of dangerous microbes in water by the bacteriophage principle. In these experiments several samples of the water were filtered through porcelain filters L3, and then a few drops of this water were added to the microbial cultures. As soon as the filtered solution became empowered with the bacteriocidal power the cultures would not develop. It was found that all waters do not possess an equal bacteriocidal power, and certain waters are without any particular power of this kind. Still other waters exercise a very marked destructive action with regard to some special microbe.

The different waters which were examined and their bacteriocidal power is noted.—F. J. Moss.

Rapid Fine Sand Filtration. Hiram W. Blaisdell. Journal American Water Works Association, Vol. 14, No. 6, December, 1925. pp. 581-597.

In a very fine and important paper, the writer discusses in detail rapid fine sand water filters and presents data from such filter plants at Yuma, Ariz.; Calexico and El Centro, California; Montreal, Canada; and the Eastman Kodak Company works at Rochester, New York. According to this data, rapid fine sand filters by the combined use of fine sand, reverse flow and filter washer can purify successfully at a 25 to 50 m. g. a. d. rate river water of medium turbidity, subject to occasional flood turbidities as high as 300 p. p. m., without settling; river water of medium turbidity, subject to occasional excessive flood turbidities that can be settled, with or without the use of alum; and water of low turbidity such as that of the Great Lakes and their connecting rivers, and storage waters of all classes.

Principle of Rapid Fine Sand Filtration. The sand used when screened to 20-mesh has a sufficient percentage of fines to accomplish the desired result, but not too fine, for the finer the sand the more frequent will the reverse flows and washings be required. This sand, at high rates of flow, must be either dry when put into the filter or consolidated in place by agitation under water with a filter washer. The reason is that, in a dry condition, the finer grains naturally occupy the interstices between the coarser but, when wet, surface tension or the adhesion of the grains to one another prevents their normal distribution and results in a segregation of grains disadvantageous to the efficiency of the filter. The efficiency of a rapid fine sand filter depends not upon the "schmutzdecke" or bacterial action of the slow sand but upon the very fine surface sand, about $\frac{1}{2}$ of an inch in thickness left after washing, which, when dried, has a velvet-like feeling, and is so fine that the process of filtration resembles that of porous tube, or plate filters, the whole surface being equivalent in its action to a great porous plate filter.

Features of Rapid Fine Sand Filtration:

(1) The cost of rapid fine sand filters varies from \$3,000 to \$10,000 per n. g. d. capacity depending upon rate of filtration and roofing.

(2) A special filter washer is provided which is described in detail and illustrated in this paper. No filtered water is required in washing, the raw water used for this purpose being 1-40 of 1 per cent of the water filtered.

(3) A high percentage of removal of bacteria, turbidity and color is effected, and it is also stated that at some plants satisfactory results have been obtained in removal of taste and odor.

(4) No chemist is required to operate small rapid fine and filter plants. The flexibility of this type of filter permits of instant increase in rate of flow from a minimum to maximum without impairing its efficiency.—Isador W. Mendelsohn.

Sutton, Surrey Municipal Works. W. Hedley Grieves, Engineer and Surveyor. Surveyor, Vol. 68, No. 1763, October 30, 1925. pp. 361-362.

Refuse Disposal. House refuse was formerly tipped, but owing to unsightliness of the tips a pulverizer was installed and the pulverized material is mixed with the sewage sludge in the lagoons. It is hoped eventually to find a market for it.—Rudolph E. Thompson.

East Ham Municipal Engineering Works. Anon. Surveyor, Vol. 68, No. 1760, October 9, 1925. p. 301.

Refuse Disposal. Refuse is disposed of by destroying in a destructor, the energy generated being used for pumping sewage. Sufficient heat is derived from refuse alone during the winter months but addition of pan breeze is required in summer. The excess house refuse which cannot be burned in the destructor is pulverized and used for covering old refuse dumps and sludge lagoons.—Rudolph E. Thompson.

Municipal Works at Gillingham. J. L. Redfern, Borough Engineer. Surveyor, Vol. 68, No. 1764, November 6, 1925. p. 397.

Refuse Disposal. House refuse is disposed of by tipping in a marsh two and one-half miles from center of the town. The cost of removal is 1s. 1d. per capita per annum.—Rudolph E. Thompson.

Liability for Water Borne Disease. Homer O. Blair. Journal American Water Works Association, Vol. 15, No. 1, January, 1926. pp. 80-83.

An account is given of the events leading up to the decision of the Supreme Court of the State of Washington in confirming judgment of the Superior Court of Snohomish County, which granted damages after jury trials to relatives of persons alleged to have died from typhoid fever contracted by drinking water furnished by the city of Everett.

Evidence was presented that during the typhoid fever epidemic in the summer of 1923, polluted water passed into the city mains through an open gate valve in a by-pass connection at an industrial plant. The points considered by the jury were whether or not the city was negligent in allowing the by-pass with a gate valve to exist; whether it was negligent in its failure to inspect the connection; and whether it was negligent in failing to remedy the condition of the water after it had been notified that it was polluted.

The city maintained that the complaints were based on an implied warranty that a safe water be furnished, but the higher court held that the complaints were based on negligence.—A. L. Dopmeyer.

Sterilization of Water Mains after Laying. C. W. Absher, Journal of American Water Works Association, Vol. 15, No. 1, January, 1926. pp. 52-59.

This is a brief article in which the author suggests a method for applying liquid chlorine to water mains after laying. The article is followed by remarks made during a discussion at the North Carolina Section meeting on September 15, 1925, in which various members recite experiences and give opinions on the subject.

The consensus of opinion is that the proper sterilization of water mains after laying is essential.—A. L. Dopmeyer.

Treated Water in Swimming Pools. F. H. Stover. Journal American Water Works Association, Vol. 14, No. 5, November, 1925. pp. 440-441.

When it becomes known that a swimming pool water is being dosed, complaints of smarting of eyes, nose, etc., may be received. Such complaints are usually unfounded unless the pool is being overdosed. In certain instances claims were made that suits and towels were rotted by the pool water. Such complaints can usually be traced to excess use of "high power" washing compounds and incomplete rinsing in the laundry. All complaints against pool water should be immediately followed up and the blame placed where it belongs to prevent the pool getting a bad name.—Stephen DeM. Gage.

Safeguarding the Nation's Health with Municipal Outdoor Swimming Pools. Walter S. Hood. Journal Association Promoting Hygiene & Public Baths. Vol. 7, 1925. pp. 50-56.

A popular article on advantages of artificial pools. A municipal pool is an asset to an inland town drawing tourists from 40 to 50 miles. Work of various community organizations in aiding financing of pools is discussed, and attention is called to the aid which may be obtained from Portland Cement Association, tile and equipment manufacturers, etc., in designing and constructing a pool. It is stated that 400 new pools were to be built in 1925.

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(Continued from page 132)

allow that element to enter into the computation would be to make the plaintiff's necessity the owner's opportunity.—*City of Stockton v. Jacob G. Vote*, 49 Cal. App. Dec., 315.

Pensions—Members of Police and Fire Departments—Increase of Pension after termination of service—Constitutional Law. Pensions for retired members of fire and police departments, and for their dependents, are not in the nature of bonuses, or gifts, but constitute a portion of the compensation and furnish an inducement to continuous diligent service; and an increase in the amount of pension which shall be paid to firemen who may retire, or to the widow of a fireman who may have been killed in active service, if allowed in a case wherein such service shall have previously ceased, would be a gift, and without consideration and in violation of sections 31 and 32 of article VI of the Constitution.—*Ella B. Home v. O. M. Souden, et al.*, 49 Cal. App. Dec., 352.

Landlord and Tenant—Unlawful Detainer—Leases—Equitable Defense—Pleading. In an action of unlawful detainer brought by a city, where the defendant had been in possession under a lease from the city which expired by its own terms, and the city notified the defendant that no additional lease would be executed, an equitable defense set up by the defendant based upon a provision in the expired lease that in the event the city required the premises for municipal purposes all growing crops should be permitted to remain thereon until maturity and harvest, not exceeding in any case one year from the giving of notice of termination of the lease, is not available to the defendant.—*City of Marysville v. A. E. Poole*, 49 Cal. App. Dec., 380.

Ordinances—Reasonableness of—Discretion of Legislative Body—Review by Courts. The question of the reasonableness of an ordinance is, to a certain extent, a judicial one, but the scope of the judicial inquiry may not transcend those considerations which are allowed to influence the legislative body in dealing with the matter of the policy of the law which it enacts; and whether the enactment is a wise one, or based upon sound economic theory, or is the best means to achieve the desired result, are matters for the judgment of the legislative body, and even though there be a conflict of opinion in relation thereto it is not sufficient to bring those considerations within the purview of judicial cognizance.

Municipal Corporations—City of Oakland—Ordinance Regulating Auction Sales of Jewelry—Classification—Validity of. The city of Oakland acted entirely within the lawful exercise of its constitutional power in adopting an ordinance regulating the retail selling of jewelry at public auction which should have application to certain persons only engaged in the jewelry business and not to those engaged in other lines of business.

Provision as to Hours of Holding Auctions—Reasonableness of. There is no merit in the objection made against the provision of said ordinance prohibiting auctions from being conducted "between the hours of 6 p. m. and 8 a. m."—In the matter of the Application of Sam West for a Writ of Habeas Corpus, 48 Cal. App. Dec., 808.

Municipal Corporations—Municipal Courts—Constitutional Law—Amendment to Section 11, Article VI, Constitution—Township Justices Courts lying partly within and partly without Incorporated Cities. That portion of section 11 of article VI of the Constitution, as amended in 1924, relative to the creation, regulation, government and procedure of municipal courts and for the establishment thereof in cities governed under a charter framed and adopted under the authority of the Constitution, which provides that "In any city or in any city and county, where such municipal court has been established, and in townships situated in whole or in part in such city or city and county, there shall be no other court inferior to the superior court except as herein provided," did not have the affect of abolishing justices courts in all townships which lay partly within and partly without cities or cities and counties wherein a municipal court has been established.—*A. G. Bakkenson v. Superior Court of Los Angeles County, etc.*, Vol. 70, Cal. Dec., 669.

Justices Court—Jurisdiction—Establishment of Municipal Court—Under Section 11, Article VI, Constitution—Township Lying Partly within and partly without incorporated city. The jurisdiction of a justices court of a township lying partly within and partly without the corporate boundaries of a city qualified to establish and actually establishing a municipal court under the provisions of the amendment of 1924 to section 11 of article VI of the Constitution, relating to the creation of municipal courts, and by the terms of chapter 358 of the laws of 1925 (Stats. 1925, p. 648), remains unaffected by said constitutional amendment or said statute.—*Ben S. Robison, v. W. S. Brayton*, Vol. 70, Cal. Dec., 677.

Municipal Corporations—Charters—Amendment of 1914 to Section 6, Article XI, Constitution—Legislative Power. The amendment of 1914 to section 6 of article XI of the Constitution declares an entirely new scheme for the granting of municipal charters, the effect of which places cities organized thereunder entirely beyond the interference of general laws in regard to the administration of municipal affairs.

Santa Barbara Charter—Scientific Appraisal of Real Property for Assessment Purposes—Employment of Expert—Performance of Administrative Duty—Ordinances. Section 82 of the charter of the City of Santa Barbara, relating to the matter of a scientific appraisal of the real property within said City for purposes of municipal assessment, is self-executing and by its own terms prescribes the manner in which the power of the City in that respect shall be exercised, namely, by providing that said scientific appraisal shall be made by a recognized expert, and the duty of fixing the terms of the employment of such recognized expert is an administrative one, which, like many other administrative duties, may be carried out by the City Council without the aid of an ordinance.

Employment of Expert Appraiser—Nature of Employment. The employment of an expert appraiser is authorized by the charter itself and the duties he is required to perform are entirely independent of the assessor.—*C. A. Storke v. The City of Santa Barbara*, Vol. 49 Cal. App. Dec., 71.

Elections—Recall—Examination of Election Petition—Decision of City Clerk Final. Under the provisions of the general law relating to the recall of elective officers of incorporated cities and towns (Stats. Ex. Sess. 1911, p. 128), the determination by the city clerk that a recall petition has a sufficient number of qualified electors or voters as required by law is final.

Duty of Clerk—Sufficiency of Petition—Evidence—Fraud. The duty of the city clerk in determining the sufficiency of a recall petition is not judicial; he is not clothed with authority to receive extraneous evidence of the contents of the petition, his duty being to ascertain from the records of registration whether or not the petition is signed by the requisite number of qualified voters, and if fraud has been committed a court of equity may be resorted to as the proper forum to determine such questions under appropriate proceedings.

Calling of Election—Power of Trustees—Discretion. Under the statute relating to the recall of elective officers of incorporated cities and towns no discretion is vested in the trustees as to the question of calling an election, provided the petition contains the statements required by the statute and is properly certified by the clerk as to the number of signatures.—*D. W. Ratto v. The Board of Trustees of the City of South San Francisco et al.*, Vol. 49 Cal. App. Dec., 8.

Public Health—Affliction with Infectious Disease—Isolation. While section 2979a of the Political Code does not in express terms confer upon the health officer of a city and county the right to take possession or control of the body of a person afflicted with a gonococcus infection, as it does in the case of the state board of health, the isolation of one afflicted with an infectious disease is a reasonable and proper measure to prevent the increase and spread thereof.

Quarantine of Person Suffering from Infectious Disease—Habeas Corpus. A writ of habeas corpus to secure the release from quarantine of a person suffering from a gonococcus infection will be denied, where the petition on its face shows that such person was ordered detained at the county hospital of the city and county of San Francisco by the public health officer of said city and county, after his examination finding such person to be suffering from said infection.—*In re Mable Fisher on Habeas Corpus*, Vol. 48 Cal. App. Dec., 39.

Municipal Corporations Act—Elective Officers Elected at Incorporation Election—Tenure of Office—Section 3 of Act—Construction. The elective officers of a city of the sixth class, elected at an incorporation election held under the Municipal Corporations Act, hold office only until the next general municipal election to be held "on the second Monday in April in each even-numbered year," and the holding of such election for such purpose is not dispensed with by the italicized portion of the amendment in 1923 to section 3 of said act, which provides that the officers chosen at the incorporation election shall hold their respective offices "only until the next general municipal election to be held in such city or town, or for such term as shall be hereinafter provided for officers of cities of the class to which the same may belong, and until their successors are elected and qualified."—*Leslie E. Smith v. Board of Trustees of Barnes City, et al.*, Vol. 71 Cal. Dec., 314.

Proposed Improvement not included in Ordinance of Intention—Sufficiency of Description. The ordinance of intention must briefly describe the improvement proposed with reasonable certainty so that a person of ordinary understanding may know what is proposed to be done, and the description of the improvement must not be so ambiguous as to be misleading.

Ordinance of Intention—Misdescription of Proposed Improvement. Where the ordinance of intention incorrectly designates the streets affected and also fails to

describe the opening of a proposed new street, there is not only a failure of description, but a misdescription of the proposed improvement, and the ordinance of intention and the notice of public work were fatally misleading and defective.

Notice of Improvement—Defective Description. When the description is so defective as to be misleading, the notice of the improvement is insufficient and the assessment proceedings will not be sustained.

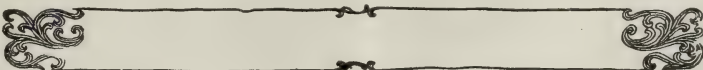
Proportionate Cost of Improvement—Payment by City—Statutory Construction. The requirements of the statute that when the city is to pay a portion of the cost of the improvement a definite percentage of the total cost and the name of the fund from which the payment is to be made be stated in the ordinance of intention are jurisdictional.—*The O. T. Johnson Corp., Herman O. Vogel, et al., v. The City of Los Angeles*, Vol. 71 Cal. Dec., 318.

Opening of Street across Railroad Right of Way—Amount of Compensation—Public Use. Because of the nature of the interest in the land which is acquired by a city, where a street is opened across a railroad right of way, the rule as to the amount of compensation to be allowed the railroad company is different from the rule which prevails in the case of the taking of the property of an individual for like uses. The reason for this difference is that one of the incidents of the public use to which a railroad company dedicates its property used as a right of way is the right of the public to construct street crossings wherever and whenever reasonably necessary.

Extent of interference with Railroad Use—Nominal Compensation. In condemning a right of way for a street across a railroad right of way, the inquiry must be directed to ascertaining the extent to which the value of the company's right to use the land for railroad tracks will be diminished by the opening of the street across it, and if the opening of the street does not unduly interfere with the company's use for legitimate railroad purposes, then the compensation should be nominal.

Extent of Compensation—Question for Jury. In such action the right to open a street across the railroad tracks was all that the city sought to obtain by the proceedings in condemnation, and it was not bound to acquire and pay for the fee in the land over which the street is opened. The extent to which the value of the defendants' right to use the land for railroad tracks was unduly diminished by opening the public street across it was the only question to be determined by the jury.—*City of Oakland v. Southern Pacific Co. and Central Pacific Railway Company*, Vol. 70 Cal. Dec., 639.

Easement for Extension of Street Across Railroad Right of Way—Structural Changes—Denial of Compensation. A railroad company is not entitled to compensation for structural changes made necessary by the taking of an easement for the opening and extension of a street across its tracks and right of way.—*City of Long Beach v. Pacific Electric Railway Co.*, Vol. 70 Cal. Dec., 646.



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"OFFICES IN 30 CITIES"

(Continued from page 130)

sexes occurred between the ages of 20 and 30, and only 28 of the 1,610 cases occurred among school children. In all but two cases the parents of these children had refused to have them vaccinated, while these two had missed vaccination for other reasons. "There is but

exposed immunes is therefore necessary.

In January, 1924, malignant smallpox was again introduced at two places, Duluth and Minneapolis, Minnesota. In 1924 there occurred 3,115 cases with 307 deaths. These figures include both types, the mild and the malignant type were distributed as follows:

Total Cases	Malig.		Deaths	Town
216	54	15	15	Duluth (the last case being in Aug.)
775	197	13	15	St. Paul
994	860	219	221	Minneapolis
1,130	234	51	56	Elsewhere in Minnesota
	1,345	298		

one conclusion to draw from our dreadful experience and that is to compel vaccination."

MINNESOTA'S EXPERIENCE WITH SMALL-POX OF THE MALIGNANT TYPE

In 1917 malignant smallpox was introduced into Minnesota by an immigrant exposed on shipboard. Vaccination after exposure did not result in a typical "take" although it probably gave what is now called the "immunity reaction." An unvaccinated boy who slept with him developed smallpox which spread until 92 cases of the malignant type, with 17 deaths occurred.

Strict quarantine, accurate follow-up of exposed persons and general vaccination quickly wiped out the malignant smallpox in 1917. This experience demonstrated that persons recently successfully vaccinated may show very slight symptoms following exposure to malignant smallpox and yet convey infection which results fatally to others. Malignant smallpox, undoubtedly, is carried sometimes by exposed persons who show no symptoms. While the scabs are coming off it is obvious that infectious material may be carried in the clothing or on the shoes of persons associated with smallpox cases. Supervision of

The vaccination statistics for all of these cases will be compiled soon. For the 307 fatal cases in 1924 the vaccination history follows:

NONE had been successfully vaccinated within 7 years.

47 had been successfully vaccinated over 7 years ago.

243 had never been successfully vaccinated.

17 were unable to give definite history of vaccination.

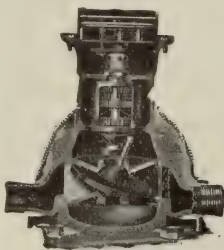
Statistics of smallpox of the *malignant type only* in Minnesota are as follows for 1924 and up to Sept., 1925:

Total Cases	Deaths	Towns
54	15	Duluth
197	13	St. Paul
860	219	Minneapolis
234	51	State
1,345	298	

Statistics of smallpox cases and deaths in Minnesota from January until August, 1925, are as follows:

Total Cases	Deaths	Towns
77	23	St. Paul
436	144	Minneapolis
77	23	St. Paul
436	144	Minneapolis
0	0	Duluth
98	27	State

(Continued on page 159)



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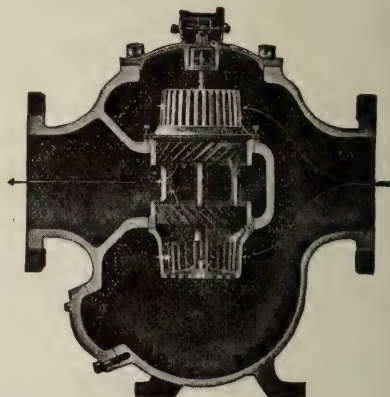
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(Continued from page 157)

VACCINATION HISTORY OF MALIGNANT CASES

JANUARY-AUGUST, 1925.

	St. Paul	Minneapolis	Duluth	State	Total
Successful vaccination within 7 years .....	..	5	..	..	5
Successful vaccination over 7 years ago	11	128	..	13	152
Never successfully vaccinated	64	281	..	74	419
Unable to obtain definite history	2	22	..	11	35
Total	77	436	..	98	611

VACCINATION HISTORY OF MALIGNANT DEATHS.

JANUARY-AUGUST, 1925.

	St. Paul	Minneapolis	Duluth	State	Total
Successful vaccination within 7 years .....	..	..	..	1	1
Successful vaccination over 7 years ago	1	37	..	3	41
Never successfully vaccinated	21	104	..	21	146
Unable to obtain definite history	1	3	..	2	6
Total	23	144	..	27	194

On Jan. 26, 1924, in Duluth, a Canadian, 54 years old, never vaccinated, died of hemorrhagic smallpox. Ten days after leaving Canada, he developed a severe backache and general pains, but since the symptoms followed an accident, they were thought to indicate internal injuries, and he was admitted to the Duluth hospital Jan. 20 as a surgical case. On Jan. 25 the diagnosis of hemorrhagic smallpox was made. Meanwhile considerable exposure had occurred.

One hundred and sixty cases of the malignant type of smallpox with 37 deaths were traced directly or indirectly to this first fatal case.

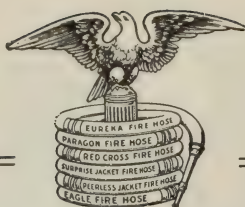
The local health officers not only enforced strict quarantine wherever the malignant type of smallpox occurred and traced and vaccinated everyone known to have been exposed, keeping them under supervision until all doubt about the outcome was past, but also through effective publicity induced the

public to be vaccinated by private physicians or at the free public vaccination stations. The outbreak was confined to northwestern Minnesota and terminated in July.

On Feb. 1, 1924, a plasterer who had worked in Minneapolis since Dec. 13, 1923, and had not been out of the city, returned to his home in Fairmont, Martin county. On Feb. 9 he was taken sick. Before the diagnosis was made a number of persons had been exposed. He died Feb. 23. The circumstances which gave rise to this case through the introduction of malignant smallpox into Minneapolis in Jan., 1924, have never been ascertained.

Malignant smallpox spread to 3 other sanitary districts in Martin county where 24 cases and 4 deaths occurred. The outbreak was stopped promptly by application of measures used in the Duluth outbreak. The last case died May 2, 1924.

(Continued on page 161)



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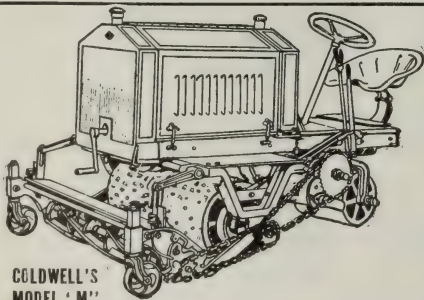
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(Continued from page 159)

In Minneapolis and St. Paul and in many localities throughout the state mild smallpox was present during the first of 1924.

The first case of malignant smallpox recognized during life in Minneapolis was a woman who came to Minneapolis June 11, and entered the obstetric ward of the University Hospital in labor June 24. On June 29 she developed symptoms of smallpox and was admitted to the Minneapolis General Hospital where she died July 15, 1924. This woman and others who developed malignant smallpox at that time had visited the outpatient department of the Minneapolis General Hospital regularly since coming to Minneapolis. That earlier cases not recognized as smallpox was evident. Careful review of the autopsy findings and history shows beyond doubt that on June 23, 1924, an orderly in the Minneapolis General Hospital who worked in the contagious department died of hemorrhagic smallpox after an illness of three days.

In St. Paul, the first recognized case of malignant smallpox died Aug. 31, 1924. The patient was an unvaccinated 2-year old child in a family where the mother and three other children had smallpox with moderately severe symptoms.

On October 29, 1924, the next case died in St. Paul. The death certificate filed by the attending physician gave the cause of death as "broncho pneumonia complicating measles." It is certain that this death was due to hemorrhagic smallpox, because persons exposed developed smallpox and four of them died of the hemorrhagic type. The patient's mother nursed him the day he died in St. Paul. Eight days later she developed mild symptoms. Only one skin lesion appeared on the left forearm. She had been successfully vaccinated in 1879. Her husband contracted smallpox from her and died of the hemorrhagic type after an illness of only 36 hours.

Between July 1 and Dec. 31, 1924, there were 49 outbreaks of malignant smallpox with 103 cases and 24 deaths. Of these 39 outbreaks were traceable to Minneapolis, 7 to St. Paul, and three the primary cause had been in both cities. Also traceable to Minneapolis were 2 outbreaks of 4 cases with 1 death in November-December, 1924, in 2 Wisconsin towns.

The outbreak of the malignant type traceable to the Twin Cities arising in other states as well as in Minnesota indicate that the efforts of the city health authorities were not very successful in tracing exposed persons since in no instance had the State Board of Health been notified when persons exposed left the Cities. Such notification is necessary to prevent the spread of smallpox.

Malignant smallpox also had spread from one city to the other and upon discussion of the situation, the need for co-operative effort was apparent. At a conference of State and City Officials it was agreed that the Commissioner of Health of Minneapolis, the Chief Health Officer of St. Paul, and the Executive Officer of the State Board of Health constitute a committee to put into effect uniform measures for the eradication of smallpox.

Also it was suggested that the Surgeon General of the U. S. P. H. be requested to detail an officer to assist the committee. This was done and the investigation by Dr. Pierce disclosed no differences between the Cities as far as the health problem was concerned. But different procedures were being followed in dealing with the problem. Quoting from his report, "In St. Paul part-time medical epidemiologists as district deputy health officers employed. They are assisted by full time non-medical inspectors and nurses. All epidemiological and control measures are carried out by this force. In Minneapolis, public health nurses are used for this purpose and no medical

epidemiologists are employed. The attending physicians are required to assume the responsibility for diagnosis and for other matters relating to the control of the disease which are carried out by the medical staff in St. Paul, but full-time non-medical health inspectors investigate complaints about quarantine, etc.

"In St. Paul practically no privileges had been extended to exposed persons whether vaccinated or re-vaccinated. In Minneapolis the Health Commissioner had granted privileges to wage earners and others exposed, even allowing nurses on cases to go home to sleep.

"The efforts of St. Paul seem to have met with more success in relation to tracing the contacts and discovery of sources of infection than those of Minneapolis, which shows much greater prevalence of smallpox and naturally has had greater difficulties to contend with."

Dr. Pierce presented certain memoranda and recommendations, confining

himself purposely to matters which the City Health Authorities could not carry out without assistance. The essence of his recommendations could be summed in the following statement: "The only way to stop the spread of smallpox and prevent deaths from the present virulent form is to get a 100% vaccinated community."

Aside from a well planned educational program through publicity, the following are some of the recommendations that were made:

"All hotels and boarding houses are requested to display a card at the desk stating that all of their employees are vaccinated for the protection of their guests, and that every guest at the hotel or boarding house is expected to protect themselves and others from smallpox by getting vaccinated. Hotels are also requested to ask guests to put on the register the date of their last vaccination which resulted in a 'take.'

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"All employment agencies are not to register anyone for employment until they are vaccinated or re-vaccinated until it 'takes.' This is a necessary precaution to prevent laboring men from becoming infected with smallpox and spreading it throughout the Northwest.

"All hospitals to require all visitors to every patient to be freshly vaccinated before being allowed to visit any patient.

"The Board of Education of the Twin Cities to require all teachers, employees and pupils in the public schools to be vaccinated or exclude them under the authority given in Par. 8 of Sec. 4640 of the Minnesota statutes."

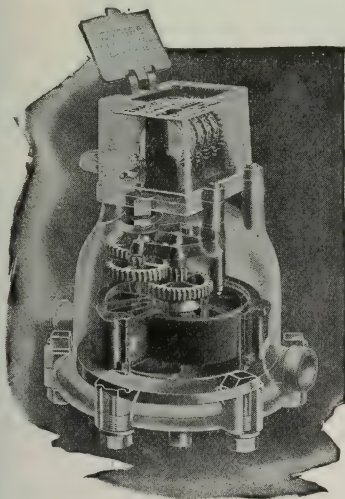
Already action had been taken in both cities regarding certain recommendations. The St. Paul authorities had declared a smallpox epidemic and had ruled that unvaccinated teachers, employees, and pupils be excluded from the schools. This order had been approved and provided for in the Minnesota statutes by

the Commissioner of Education, but had not been put into effect, pending action by Minneapolis. Jan. 23, the Board of Regents of the University, authorized the President to exclude unvaccinated members of the faculty, employees and students on the date when the City exclusion orders became effective. It was thus arranged because the University is located in both cities. The students live in both cities and are under the direct supervision of the Student's Health Service of the University.

So by an extensive vaccination campaign and strict observation of cases and contacts in all localities but one, which has more recently changed policy and given more careful attention to this last important phase the extensive epidemic is now in control.

A summary or conclusion is hardly necessary in this paper. The facts are presented and each may draw his own. But I think we might safely say with the

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Detroit officials that the only absolute solution is compulsory vaccination or voluntary 100% vaccination.

Until that time arrives it seems to me that the Control of Smallpox means as near 100% vaccination as possible, with the addition of strict quarantine of cases, and, in addition, the observation of exposed immunes, so that infection may not be carried promiscuously by them to the susceptible.

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1. Tice's Practice of Medicine. History of Smallpox.
2. Detroit City Health Bulletin—Apr.-May, 1925.
3. Minnesota's Experience with Smallpox of the Malignant Type. Issued by State Board of Health, Feb. 5, 1925.
4. Material furnished by Dr. O. McDaniel of the State Board of Health of Minnesota.

(Continued from page 150)

Standing of Detroit Swimming Pools. Weekly Health Review, Detroit Department of Health, Series 6, No. 44, October 31, 1925.

A table shows average results of 502 bacterial examinations of the 28 pools operated in Detroit during third quarter of 1925. 21 pools or 75 per cent are rated as Grade A, complying with the Department of Health Standard. 17 pools show a median bacterial count of less than 100 per cc., 4 pools show no colon in 100 cc. and 13 others average less than 10 colon per 100 cc.

Of the 7 Grade B pools not meeting the required standard, 6 are operated on recirculation, and one by fill and draw. Of 10 pools equipped with Ultra Violet disinfection apparatus 6 are in the Grade A list and 4 are in the Grade B list. 2 of the U. V. R. pools are listed as also using Hypo disinfection and one as using liquid chlorine.

The report states, "While the averages for the three quarters of 1925 show comparatively little improvement one over another, any one of them indicates a vast improvement over the averages for the first ten months of 1924."

"Reports indicate very clearly that equipment is not the sole requisite for clean swimming pool water and that adequate supervision and care is most important. Many pools with inadequate equipment have been able to maintain a high standing by intelligent care and interest on the part of those responsible for the pool coupled with the cooperation of the bathers themselves."—Stephen DeM. Gage.

Troubles, Causes and Remedies with a Swimming Pool Using a Recirculating System. Robert O. Friend. Journal Association Promoting Hygiene & Public Baths. Volume 7, 1925. pp. 71-74.

The author lists four common water defects and gives possible sources as follows:

1. Water in pool not clear and sparkling may be due to improper filtration, recirculation rate too low, system not operating long enough, inlet and outlet piping not correctly designed.
2. Irritation of eyes or other membranes may be due to free alum (acid water) or to excessive chlorine disinfectant.
3. Algae in pool causing unpleasant odor or dirty tile can be remedied by copper sulphate treatment.
4. Clear sparkling water not sanitary because of high bacteria content may be due to recirculation too small for bathing load, bathers failing to properly cleanse themselves before entering pool, water temperature too high, disinfectant insufficient in amount, or not applied properly.

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Entered as second-class matter March 22, 1913, at the Post Office at San Francisco, California, under the Act of March 3, 1879.

VOL. XL

TWENTY-EIGHTH YEAR

No. 5

Editors.....H. A. Mason and Wm. J. Locke
Business and Advertising Manager.....H. A. Postlethwaite
Editorial and Business Office.....707-721 Chancery Building, San Francisco

Advertising Rates on Application

Address all Communications to "PACIFIC MUNICIPALITIES," Chancery
Bldg., San Francisco, California

May, 1926

A. Carlisle & Co., Printers, San Francisco

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Per Week	45.50 each	59.50	28.00 each	35.00
Four Weeks	170.00 each	225.00	100.00 each	128.00
European Plan—In Tent (without bath):				
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Per Week			10.50 each	17.50
Four Weeks			37.50 each	60.00

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1 person in room.....		\$10.50
2 persons in room.....		8.50 each
Redwood or Canvas Cabin without Bath	Canvas Cabin without Bath	
American Plan	European Plan	
\$7.00.....	1 person in room.....	\$3.00
6.00 each.....	2 or more persons in room.....	2.00 each

Children's Rates:

Under 3 years, no charge; 3 to 10 years inclusive, half rate; 11 years and over, full rate.

Tub and shower baths in detached buildings..... 50c

TO YOSEMITE VALLEY
 HOW TO GET THERE BY RAILROAD

The following fares include railroad transportation to El Portal and return, and motor car transportation via Yosemite Transportation System from El Portal to Yosemite Valley and return.

Effective all year	16-Day Limit	Season Limit
Merced to Yosemite Valley and return.....		\$13.50
San Francisco to Yosemite Valley and return.....	\$20.25	21.75
Los Angeles to Yosemite Valley and return.....	29.75	33.00

HOW TO GET THERE BY AUTOMOBILE

In all probability many of the city officials will drive to the valley by automobile. The new road better known as the "Merced and El Portal All Year Highway" will be dedicated by the state highway commission on July 31st. The opening of this new highway will enable a party to make the trip in one day from either San Francisco or Los Angeles.

Those going to the convention this way will drive to Merced, where they will be met by a reception committee of city officials and representatives of the Merced County Chamber of Commerce. From Merced the highway leads to Mormon Bar and from there to Mariposa. From Mariposa the highway goes through an old

historic country of scenic beauty to a settlement known as Briceberg on the Merced river. After leaving Briceberg, the highway follows up the Merced river on a very easy grade to El Portal and entrance to the valley.

THE PROGRAM

The following is an excerpt from section IV of the league's constitution:

Prior to each annual Convention the Executive Secretary shall send out to the city officials a questionnaire ballot containing the titles of subjects for the program and requesting the officials to mark thereon their first, second and third choices and return them to League headquarters. So far as practicable, the program shall be prepared according to the returns thus received.

The foregoing provision was complied with and the following vote received:

	1ST CHOICE	2ND CHOICE	3RD CHOICE
Pavements —grading, materials, cleaning, repairing.....	14	3	8
Sewer Systems —materials, cleaning, disposal methods...	20	6	5
Garbage —segregation, collection, disposal.....	7	8	6
Zoning —Classifying districts, changing.....	23	9	11
Purchasing Agents —powers and duties.....	..	5	3
Public Officials and the Press —commendation, condemnation.....	2	2	3
Business Licenses —desirability of, limitations.....	9	10	13
Budget Systems —provisions of.....	7	9	7
Building Codes —fire limits, removing dilapidated buildings.....	15	8	10
Billboard Regulation —prohibition, regulation.....	2	6	3
Street Lighting —most efficient methods, standards.....	8	5	7
Parks and Playgrounds —apparatus, fencing, swimming pools.....	1	3	4
Street Ornamentation —parking spaces, trees, street signs	1	5	4
Fire Protection —alarm systems, apparatus.....	2	11	6
Social Service —health centers, relief to needy, etc.....	..	1	..
Municipal Markets —limitations and management.....	..	2	3
Traffic Problems —street cars, busses, automobiles.....	3	6	17
Public Spirit —how to arouse, civic organizations.....	3	9	7
Pension Systems —scientific tables, rights of pensioners...	2	1	3
Advertising a City —the best way.....	6	4	4
Set Back Lines —discussion of a model ordinance.....	6	14	13
Should city traffic be regulated by state law?.....	1	10	3
Desirable new legislation for cities and towns.....	3	2	..
Courtesy of public official and employees as a municipal asset.....	7	3	2
Division of the gasoline and motor vehicle license taxes..	1	3	5
The value of ornamental trees along city streets.....	1	..	3

Total ballots received 184.

Total cities voting 64.

The table above set forth shows the 1st, 2nd and 3rd choice votes received for the various subjects. There were a number of ballots upon which no choice was expressed and they were counted as second choice votes. Counting each first choice vote as one, each second choice vote as one-half, and the third choice votes as one-third, the result is as follows:

Preference	Subject	Total Vote received
1st choice	Zoning.....	38 2/3 votes
2nd "	Sewer Systems.....	27 1/3 "
3rd "	Building Codes.....	24 1/3 "
4th "	Pavements.....	21 2/3 "
5th "	Set back lines.....	21 7/12 "
6th "	Business Licenses.....	20 1/12 "
7th "	Budget Systems.....	19 5/6 "
8th "	Street lighting.....	15 5/6 "
9th "	Garbage disposal.....	15 "
10th "	Traffic Problems.....	13 1/6 "
11th "	Division of Gasoline Tax.....	12 2/3 "
12th "	Public Spirit.....	12 1/3 "
13th "	Advertising a City.....	11 5/6 "
14th "	Fire Protection.....	11 "
15th "	Billboard Regulation.....	9 3/4 "

The program will be arranged so far as possible to devote the time of the convention to the above named subjects in the order set forth.

Fortunately, the department of city attorneys, appointed a committee at the Long Beach meeting on a model zone ordinance for small cities. That committee has concluded its work and will submit their report at the convention. The committee is now in conference with a like committee of the California Realtor's Association for the purpose of obtaining the views of that organization and securing their indorsement to the work.

It is proposed to hold regional meetings in Los Angeles and San Francisco within the next two weeks to select speakers and arrange the final details.



Read carefully the information on Yosemite, the site of the next Convention—Then make your plans to be there—and be there

YOSEMITE, WHERE FOLKS CAMP.

Camping—Probably the greatest outdoor sport in America—has become a hobby with thousands of visitors to Yosemite National Park. It is cheaper than staying at home, according to the many families of campers who have spent their vacations in this way.

The Yosemite campers have an unusually easy time of it. The Government provides for them ideal camping spots either near running water or with water piped to the location, and makes sure that sanitary facilities are ample to keep the camp sites clean and healthful.

There are three varieties of campers that are seen at large in Yosemite during the summer months.

The first is the dyed-in-the-wool garden variety of camper who loads his tent, his bed, his cooking utensils and other equipment on his auto until the poor old machine can hardly be recognized from a moving van. This type of camper is at home anywhere he chooses to stop.

Another variety of camper is the one who does not like to bother with too much luggage on the automobile and who prefers to stop at the housekeeping camps in Yosemite Valley. Scores of campers are taking advantage of this new and inexpensive service in Yosemite. The housekeeping camps service is maintained under Government supervision to rent to the camper a tent, bed and such other equipment as the camper may care to have, all set up and ready for occupancy. This service is offered at very reasonable terms and is so popular that campers are obliged to make their reservations far in advance.

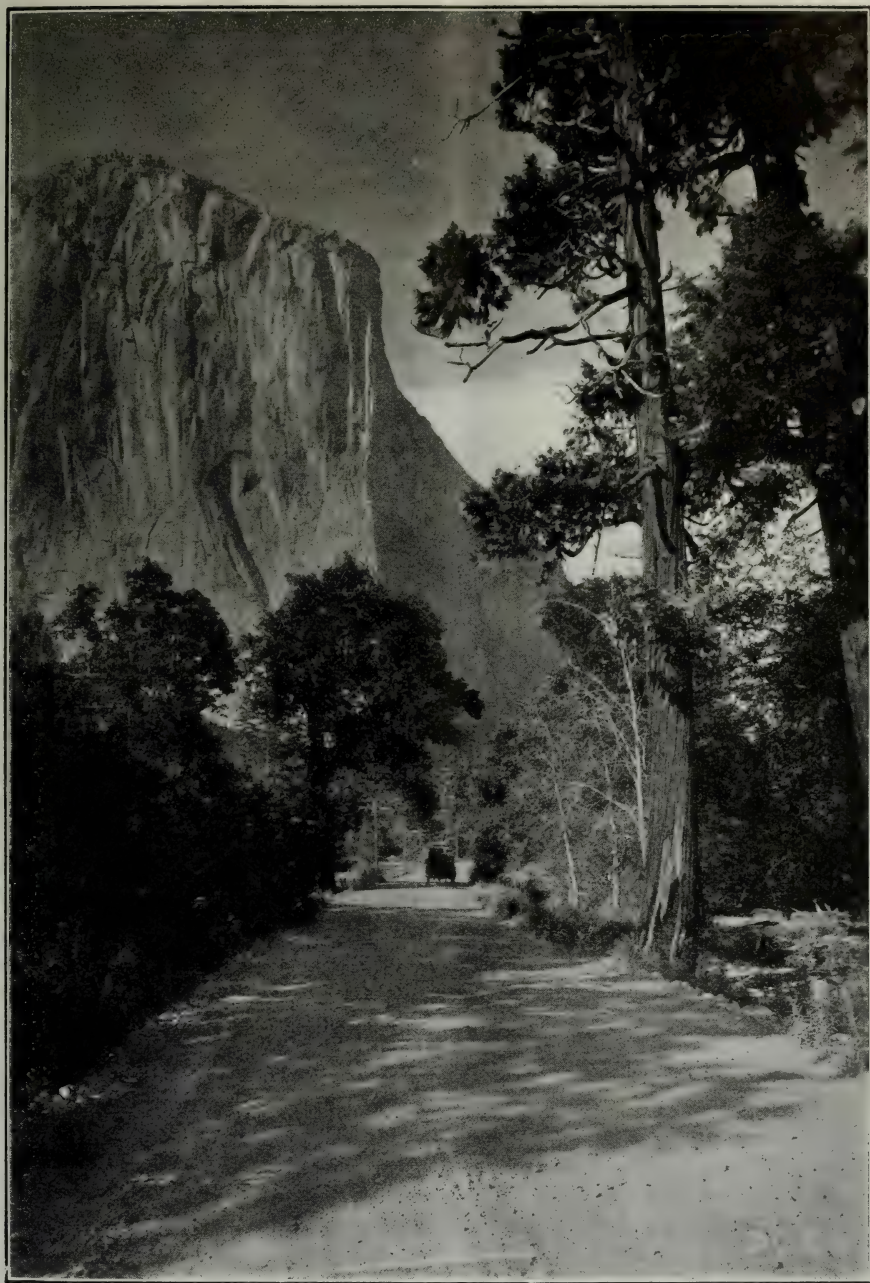
A third variety of camper is the man or woman who likes to get far away from the

crowds into the high mountains. Formerly these parts of Yosemite, known as the back country and considered by many as the best sections of the park, were available only to those who could afford to hire guides and rent pack trains. Nowadays it is different. At intervals of approximately ten miles through the famous back country, the Yosemite Park and Curry Company maintains what is known as High Sierra Camps. These camps are an easy day's hike or horseback ride from each other. They form a circuit through the high country, including the more famous of the High Sierra Peaks, glaciers, lakes, canyons, streams, meadows and forests.

The camper who chooses to take this trip need carry nothing with him but his camera and such clothes as he cares to have for a change. At the end of each day's journey he finds himself in a camp where his cook has already prepared him a plain but ample meal and where a cot costing but \$1.00 a night awaits him.

Each of the High Sierra camps is located in a strategic place from which side trips over trails can be taken to fine fishing, lakes or streams, or mountain peaks, or other points of interest. It is possible to spend two weeks' vacation on this High Sierra Camp circuit without duplicating a single day's adventures.

It used to be that the average city person thought he was achieving something great merely to reach the 4,000 foot level above the sea, at which is located Yosemite Valley. Those days are gone forever. The average camper likes to get up more than a mile high. At one of the Yosemite High Sierra Camps—Booth Lake, he can be almost two miles above sea level.



El Capitan—Yosemite Park

YOSEMITE, THE MECCA OF THE MOTORIST

More than 100,000 visitors came into Yosemite National Park during the last season by automobile, and park officials expect that this number will be greatly exceeded during the 1926 season. Dur-

ing recent years Yosemite has become the mecca for motorists not only from California but from practically every state in the Union.

To the three major routes into Yosemite

(Continued on page 193)

Some Tips on Motoring to Yosemite

No doubt many of the delegates to the convention of the League of Pacific Municipalities will want to motor in their own cars to Yosemite and back. This is one of California's finest mountain motor trips. Last year more than 100,000 Californians motored to Yosemite Valley. Some suggestions for those who have not already been over the routes may be pertinent here.

There are three main motor routes into Yosemite. The Wawona route enters Yosemite Valley from the south. Motorists will find good roads from Fresno, Madera, or Merced, leading from the San Joaquin Valley highway to Wawona. At Wawona they converge into one road entering Yosemite Valley. From San Francisco and the north the main route is the big oak flat road, with connections at Stockton, Manteca, Escalon and Modesto. Another route is the Tioga Pass trip, connecting at Mono Lake with the road from Lake Tahoe to Bishop and points south.

Road maps describing these routes are available from automobile associations or from the Yosemite Park and Curry Co. offices.

Take time to enjoy the drive into Yosemite. The roads to Yosemite are lined with many beautiful views, interesting geological formations, beautiful dells and many other attractions that are missed by the motorist who is in a hurry.

Your trip will be doubly enjoyable if you arrange to start the drive from the San Joaquin Valley into Yosemite early in the morning and take all day to reach Yosemite. In this way you may have time to catch a mess of fish on the way, or to get a snapshot of a deer or a bear in his favorite haunt.

Every motorist knows that it is wise to have the old car oiled and greased and all tuned up before starting to the mountains. For those who have trouble

on the Wawona or the big oak flat roads, there are automobile club repair cars and stations. The Yosemite Park and Curry Company maintains a service car on the Tioga road. Phone to Yosemite if you need help.

Don't be afraid to use low gear in climbing the Sierras. It's no disgrace because everybody has to do it. Practically all accidents on the grades are due to the fact that motorists forget to use their low gears. That is what they are for. Try them out and be safe.

Yosemite's climate is somewhat cooler than that of the lower valleys, but it is not cold except at night. In the evenings you will want sweaters and at night plenty of blankets. Rough hiking trousers, and shoes, are enjoyed by men and women alike.

In Yosemite Valley the Yosemite Transportation System maintains an excellent garage which offers the best of service at prices that are approximately those in effect at city garages. Cars can also be stored either at this garage or at the Camp Curry garage while the owners are on hikes or on fishing expeditions into the back country.

Motorists who are camping out should register at the Superintendent's office at Yosemite Valley as soon as they arrive. They will be assigned a camping site in localities where the Government has provided running water and sanitary facilities.

The fee charged motorists upon their arrival at the Yosemite Park boundaries is \$2.00. A ranger at the checking station near where the road crosses the boundary of the park will take your name and number and report your arrival to the ranger at the next station. This is for your own safety.

The rangers will be glad to give you information and to help you find camping

The League of California Municipalities

How, When, Where and Why It Came to be Organized,
and a Brief Story of its Accomplishments.

Under the old constitution a city or town could not be incorporated except by a direct act of the legislature. The new constitution, which went into effect in 1880, provided that hereafter cities or towns could only be incorporated under general laws, and the legislature of 1883 passed what is known as the "Municipal Corporation Act," which not only provided the general law for incorporating cities and towns but also provided for dividing cities into six different classes according to population, and set forth six different charters for their government. When a city or town is first incorporated it automatically becomes a city of the sixth class.

According to the last annual report of the state controller, there remains but four cities which are governed under a direct act of the Legislature passed prior to the adoption of the new Constitution. They are Alviso, Gilroy, Nevada City and Santa Clara. There are four cities of the fifth class, under the act of 1883; they are Oroville, Ventura, Santa Ana and Woodland. Of the remainder, thirty-nine cities are governed under freeholder charters, and 217 are cities of the sixth class. There have been three or four new towns incorporated since the state controller's report was issued, so that now there are about 220 sixth class cities.

The constitution provides that any city of 3500 population may frame a charter for its own government by electing fifteen freeholders for that purpose, providing such charter is afterwards approved by majority vote of the electors of such city and ratified by the legislature. It may be said in passing that the legislature has never refused its ratification to any charter which has received the approval of the people.

On April 12, 1926, all the cities of the sixth class in California held a general municipal election, as the result of which many new trustees and administrative officers had the experience of finding themselves inducted into public office for the first time. Practically all the cities of the state belonged to the League of California Municipalities and it is therefore not only fitting but proper that these new officials should be informed of the objects and purposes of the league and the reasons for its existence.

In the early history of our country municipal government did not take a position of very great importance because of the fact that the population was mostly rural instead of urban and the large cities of the country were quite limited in number. With the development of machinery, however, and the economy of massed production, people began to drift from the country to the city, and the problems of municipal government grew rapidly in number and importance. It was found that the plans which had been devised for the government of our cities, while fairly satisfactory when their population was small, did not work out at all as they increased in size. Things grew from bad to worse and apparently reached a climax about thirty years ago, when bossism, corruption and inefficiency appeared to prevail in nearly all the large cities of the country. These conditions aroused the anxiety of our statesmen and national leaders, and a cry was raised throughout the land for reform in the government of our cities.

Among the suggestions made was one involving an organization of municipalities, with the idea that the city officials themselves should get together periodically and discuss their problems and plans for their solution. The idea appealed favorably to those interested in municipal government in California with the result that one day in December, 1898, a handful of men assembled in San Francisco and formed the organization which has since proved to be such a factor in the growth and development of the cities and towns of California.

Prior to the formation of the League of California Municipalities no record was kept of municipal work and improvement. Each city or town was completely in the dark as to what the others were doing and the methods they were employing. Besides, there was no particular incentive to do very much.

With the organization of the league all this was changed. Meetings of the city officials were held annually in some city of the state, alternating usually between the

north and the south. These meetings afforded an opportunity of exchanging ideas and experiences. Those attending them gave an account of the achievements of their respective municipalities during the preceding year, and their plans for the future, and these accounts served as a stimulus to the towns that were inclined to be backward. An official organ was published monthly and distributed free to the officials of the cities and towns belonging to the league. Its pages were devoted to the various municipal improvements going on throughout the state and aroused a new interest in municipal affairs. A stenographic report of the principal discussions taking place at the annual meetings were thereafter published in the official organ and given wide circulation.

The league maintains a bureau of information at its headquarters in San Francisco, and city officials are encouraged to make a liberal use of this feature.

Replies to inquiries are made with the least possible delay and in the majority of cases by return mail. Among its other activities the league collects copies of new ordinances, model specifications, legal opinions upon municipal questions and other literature relating to municipal affairs. These are carefully indexed and loaned to the city officials upon application or published in the magazine. This feature is of special advantage to the city attorneys, who, for a two-cent stamp, can secure copies of ordinances passed by other cities.

On several occasions the league has interested itself in matters of litigation where the question involved was one of special interest to all municipalities. Shortly after its organization suit was brought against one of our southern cities for the infringement of an alleged patent involving the application of crude oil for settling the dust. The officers of the league felt that the claim was not a just

one and accordingly a special fund was raised to contest the validity of the patent, resulting in a victory for the cities and a saving of many thousands of dollars. Subsequently the league contested the validity of another patent on a septic tank, claiming that the invention did not involve any new or novel features that were patentable. After considerable litigation, the Leagues of Municipalities of the various states effected a compromise with the company and settled with the claimants for a nominal sum. More recently the league, through its department of city attorneys, joined in a brief which was filed in a Long Beach case involving the constitutionality of amendments to various city charters. The question raised was a very serious one and would have placed many of our large cities in a very embarrassing position had the decision been unfavorable. The league's actions in this litigation and the service which it was able to render through its department of city attorneys was of inestimable value.

A MODEL CITY CHARTER

Prominent among its various activities the league has devoted considerable attention to matters of city government with the idea of finding the plan or plans which have proved most satisfactory and economical. With this object in mind a lot of attention has been devoted to a study of the council, commission and manager plans of city government. The plan provided by the general laws of the state for the government of cities of the fifth and sixth class, while quite ingenious and reasonably satisfactory, has failed to meet all the requirements for cities of 5000 population and over, and while the league has never gone on record in the matter, the city manager plan is undoubtedly regarded with more favor.

That there are numerous advantages to be gained by a freeholders charter goes

(Continued on page 197)

IS THE CITY OF REDDING BROKE?

WAYNE B. SELICK

From the Sacramento "Bee"

Mayor Earnest Dozier of Redding blazoned to the world a week ago that "Redding is broke." The Associated Press and other news organizations carried the "news" to all newspapers in the United States who cared to publish it. The "Bee" could not believe the city of Redding deserved that sort of advertising, even though it emanated from the city's official head himself. So, to ascertain the facts, the "Bee" sent a staff man to Redding. Here is his report. Read for yourselves.

Word was recently heralded to the world by Dr. Earnest Dozier, newly elected Mayor of Redding, that the city is "broke" and did not have enough money to pay current bills or salaries.

This announcement was eagerly accepted by foes of municipal operation of utilities, as showing that Redding's municipal lighting system is a failure. Previously it had been generally accepted that the system was one of the most successful in the United States.

An investigation shows that instead of being "broke," this municipality is not only in a solvent condition with sufficient money in her strong boxes to meet all demands, but also has an Aladdin's Lamp in the municipally-owned lighting system, the profits of which will not alone meet all financial demands made this year upon the city, but in the hands of a sympathetic administration will insure future wealth for the city, together with low taxes and public improvements.

Outstanding Facts

A study of the situation shows these outstanding facts:

There is \$16,285.54 in the city treasury.

Money is accumulating rapidly in the treasury from the municipally-owned utility.

Statements that the city is "broke" are denied by present and former city officials and others in close touch to the situation.

"Not Broke"—City Clerk

Leslie Engram, City Clerk, says:

"Redding is better fixed financially than any city of its size in the State. She is not broke as long as there is money in the treasury, money coming in all the time in excess of the debts and having money owed to the city by solvent debtors."

E. A. Rolison, former City Manager, says the profits of the electrical system alone will pay the cost of municipal operation and that Dozier's claim that such money cannot be so used is a "technicality not supported by legal opinions."

Terse Answer Here!

Earl Le Kelly, former Mayor, says: "Absurd, ridiculous."

Trustee A. H. Gronwoldt: "It is a foolish statement."

W. D. Tillotson, former City Attorney, says: "It is untrue."

"In Enemies' Hands"

Redding's Aladdin lamp, and money producer, the successful municipally owned lighting system, the profits of which enabled a sympathetic administration to convert a large sized county seat town into a modern city beautiful, has passed into the hands of an administration headed by Dr. Dozier, as Mayor. This administration is charged by advocates of municipal ownership with being in opposition to that principle.

This ticket was named at an election clouded with other issues, which leaves Redding in the anomalous position of being strongly in favor of municipal ownership but having a governing body charged with being hostile to that principle.

Rolison Removed

The first steps of the present Board of City Trustees to discredit the achievements and progressive administration of the past Board was to remove Rolison from the office of City Manager by abolishing the office; by releasing employees in the electrical department, whose work largely contributed to the successful operation of the municipally owned lighting system, and by issuing the statement that "Redding is broke."

Outstanding Features

Three salient features are outstanding today in the Redding situation. They are:

1. The successful operation of the municipally owned lighting system has demonstrated the value of public ownership of the utilities and has left a comfortable balance in the city treasury at the closing period of the fiscal year.

2. Through profits acquired by municipal ownership of the lighting system Redding has been enabled to pave practically every street in the city, the greater part of the work being done without direct taxation. The city also has given the business district a modern electrolier lighting system and has made many other improvements by like means. At the same time the tax rate was reduced from \$1.45 to \$1 per \$100 assessed valuation.

It is claimed continued operation of the lighting system under sympathetic management could give many other improvements or the city could, commence

ing on July 1, 1926, abolish taxes through dropping a public improvement program.

Figures Show Wealth

Cold figures in the hands of City Clerk Engram shine as a beacon through the fog of technicalities raised by Dr. Dozier to disprove the latter's contention that the city is "broke."

Gronwoldt's View

A. H. Gronwoldt one of the Trustees on the Board at the time the electrical system was acquired and who was returned to his old post at the recent election, says:

Statement Is Foolish

"It is only a foolish statement to say that the city is broke. One or two funds may be depleted, but money is available in the electrical department fund to more than make up the balance. It is the same as anyone runs a private business, and I will be content if I can keep my business 'broke' in the same manner as Dr. Dozier says the city is 'broke.'

"It is significant now that enemies of public ownership have been given the wrong impression, nothing more has been said. People here know differently."

Former Condition Related

City Clerk Engram says:

"Before the last administration came into office, and the lighting district was acquired, the city was always broke about this time of the year. The money in the general fund had been exhausted, and there was none left in other funds to bolster it up. Taxes collected in the fall had been expended.

"The City Trustees in those days met the emergency the best they could. Usually they obtained loans from the banks. The city was always broke in May, and sometimes as early as February.

On Budget Basis

"The administration, which has just stepped out, acquired the electrical system and put the city on a budget basis. They cleared \$15,319.97 from the electrical system in the first six months and have made an increased clearing over and above all expenses every year since. The clearing at the end of the last fiscal year was \$35,573.54. This sum was all clear profit as money for operating the system, as well as improving it, had been deducted.

\$16,285.54 In Treasury

"Profits from electricity were used to improve the city. There is nothing gained for any city to carry over a balance in the same fund from one fiscal year to another as long as the city has money in the bank available for any fund. Naturally some of the funds were low at this time of the year. Three funds were temporarily overdrawn on May 1st. On the same date the city treasury showed a balance of \$16,285.54.

"The overdraft on operative fund totaled \$6,693.37. All of the operating funds totaled \$6,094.69, leaving a net overdraft of \$602.68 on the night that the Board of Trustees met and Dr. Dozier made his statement that the city was broke.

Money Coming In

"Since that time it is safe to say that \$2,000 has been collected on accounts due and past due from consumers of electricity.

"Personal property taxes are coming in before the end of the fiscal year amounting to \$4,200.

"Thirteen thousand dollars will be about the total amount collected for lights in May and June.

"Three thousand dollars is due for city licenses.

"The city should have a check for

\$2,359.82 in its hands now from the Pacific Telephone and Telegraph Company for joint use of power poles. The telephone company has assured us that the check will be turned over to us by May 10th.

Balance Assured

"With other money coming in, the profits from the electrical system will more than pay the expense of running the government. Redding will quit at the end of the fiscal year with a good balance on hand to start the next year."

Former City Manager Rolison, the man whose management of the municipal lighting system made it one of the most successful in the United States, also says records will show that Redding before the acquisition of the plant either had to borrow money or let war-wants go over.

Surplus Built

"This is true in practically every city of the sixth class in California today," said Rolison. "Since we acquired the lighting system we built up a surplus to tide us over the lean months.

"Dr. Dozier has always contended that money in the lighting fund cannot be transferred to another fund. As far as other uses of the money by the city is concerned, he adopts an attitude as if the accumulated money does not exist.

"We have good legal rulings otherwise."

Rolison likened the situation to a man starving to death in his own cafeteria.

"Even if the city was broke, which isn't the case, and the retiring Board of Trustees had spent all the money it could lay its hands upon, there can be no reflection upon the lighting system.

"If a lighting system earns \$150,000 and a Board spends \$160,000, a deficit

of \$10,000 would exist, but the deficit would be no fault of the earning capacity of the lighting system.

"Dr. Dozier's statement, however, that the city is broke, will be interpreted by privately owned power monopolies to mislead people into believing that municipal ownership in Redding was a failure. Instead it has been and is an overwhelming success."

Friends of municipal ownership, men who made the fight to obtain the utility, point with pride to Redding's many advantages gained through the profits of the system, which average \$35,000 a year. At the same time these men are closely watching the fate of the system since the last election when control of the city passed into the hands of a Board that is charged with being unfriendly to the principle of municipal ownership. They also feel that continued sympathetic operation of the system holds unlimited possibilities for the city's development.

Brought Improvements

Profits from the electrical system have enabled Redding to do these things:

Construct thirty-five blocks of paving without taxes or bonds.

Purchase two new modern fire engines, such as used in the largest cities, and equip them.

Install and operate an electrolier system without cost to property owners.

Establish the nucleus for a city park.

Thirty blocks of streets other than those paved wholly with macadam were improved with crushed rock without direct taxation. Property owners paved the center of these streets and the city excavated between the paved portion and the curb on either side and filled with crushed rock.

The result has been to make uniformly beautiful streets. The work is practical and at the same time economical. The streets are practically dustless.

Tax Rate Reduced

At the same time these expensive but much needed public improvements were being made the city tax rate was reduced from \$1.45 per \$100 assessed valuation to \$1 per hundred and the assessment roll was not changed.

Friends of municipal ownership in Redding are frankly concerned about its future. They are watching the utility's future. Any business under a hostile management is greatly handicapped, they say. Some feel that municipal ownership is in jeopardy; a few are optimistic that in spite of a different control everything will work out and others feel that the fate of the system is sealed.

Acts Raise Question

Here are some of the things done by the new Board in which many citizens find interpretation as not being acts designed to further the interests of the utility:

By electing a Mayor who led the campaign against the acquisition of the utility.

By abolishing the office of City Manager, thus removing E. A. Rolison, the man whose management of the system made it a mint for the city.

By removing Leslie Engram, the City Clerk, from the electrical department where he had been rendering efficient service to the city.

By declaring vacant a position held by a young woman in the electrical department, whose services were held valuable because of long training with the Pacific Gas and Electric Company.

By approving a technicality—a statement on the part of the Mayor that the city was broke when in reality only three funds were temporarily overdrawn, although there was sufficient money in the treasury at the time to meet any immediate demands upon the city.

By opposing the transfer of surplus profits accumulating in the electrical department to other funds of the city. A legal opinion is sought by the new Board in this matter:

Attorney Resigns

Indirectly the new administration is held responsible by the people of this city for the resignation of W. D. Tillotson, the City Attorney, who fathered the movement to acquire the electrical system.

Tillotson tendered his resignation in order that harmony might exist in the city's official family and that the Board might not have a legal adviser whose opinions were at variance with those of the Mayor. Tillotson contends it is legal to transfer profits from the electrical fund into other funds of the city. Seven Supreme Court decisions from other State Supreme Courts than that of this State are quoted by Tillotson. The California Supreme Court has never passed upon the question.

All supporters of municipal ownership agree on one point. That is the continued operation of the electrical lighting system under the sympathetic management of the group responsible for its acquisition would insure the residents all of the benefits of a modern city at little expense to them.

Four Steps Considered

Four possible steps were considered in the program for the fiscal year of 1926-27 by the Board of Trustees which retired from office two weeks ago. They were:

1. Elimination of taxes altogether.
2. Reduction of rates for electricity.
3. Partial cuts in either taxes or power rates or both and using of any balance accumulated revenue for further improvements.
4. A continuance under the present tax and power schedules and go the limit in public improvements with the profits.

What the Former City Manager Has To Say About It

The Redding municipal system of electrical distribution was purchased from the Pacific Gas and Electric Company for the sum of \$57,356.18, this sum having been established by the Railroad Commission as just compensation, in accordance with Section 47 of the Public Utility Act.

The deal was consummated and the plant put in operation as a publicly owned utility on December 6, 1921. From that date until April 1st of this year the official records of the city show that actual cash transfers representing the net profits earned by the operation of the system **had reached the sum of \$150,367.58—nearly three times the initial investment in a period of a little over four years.**

Rates Nearly Identical

The rates maintained by the city are in most cases identical with those established by the Railroad Commission for the use of privately owned utilities in this territory, with the exception of the combination rate which is applicable for domestic service, such as lighting, heating and cooking; this rate was reduced so as to provide electricity for heating and cooking at the rate of 1½ cents per kilowatt hour.

What Became of Profits—\$150,367.58

Payment on initial cost of	
plant	\$ 19,000.00
Addition and betterments,	
new extensions, etc.....	40,000.00
Fire fighting equipment.....	15,126.43
Permanent street pavements	46,567.32
Street grading and crushed	
rock surfacing	20,333.65
Installation of ornamental	
street lighting	5,310.68
New street equipment	2,025.00
Miscellaneous street im-	
provements, grading and	
repairs	2,004.50
Total profits April 1st.....	\$150,367.58

Tax Rate Reduced

Owing to the fact that some of the above expenditures, such as the surfacing and grading of streets, was taken care of by the profits of the electrical department, the tax rate last year was reduced from \$1.45 to \$1.00 per \$100 assessed valuation.

The city of Redding, as is the case of most municipal lighting plants, owns only the distribution wires and other equipment that occupy the streets of the city, which must either be operated and maintained by the city or by private sources in order to distribute the electricity which is generated in large hydro-electric plants and transmitted to some central point at the generating company's sub-station.

Profit Source Shown

In round figures it costs the city for power purchased approximately 1 cent per kilowatt hour and for the cost of distribution, including all labor and material for both office and field, interest on outstanding bonds, depreciation, insurance and losses sustained through bad and doubtful accounts an additional 1 cent must be added, thus making the cost of power delivered to the consumer an average of approximately 2 cents per kilowatt hour.

Therefore, when the retail rates established by the Railroad Commission are maintained (which average approximately 4 cents per kilowatt hour for the combined group of consumers served in the ordinary northern California city) it is obvious that the net returns will approximate 50 per cent of gross revenue.

Three Cents for Distributing

In other words, while the privately owned companies charge only approximately 1 cent per kilowatt hour wholesale for power generated and delivered to a central point (which seems to be a reasonable rate), they are charging

equivalent to 3 cents per kilowatt hour for the distribution of this same power upon the streets owned by the city, which service it has been demonstrated the city can render itself for a cost of approximately 1 cent per kilowatt hour and thereby profit to the extent of approximately 2 cents per kilowatt hour on all power sold.

This is where the profit is made and under ordinary conditions any city having a gross revenue of \$50,000 or over a year should be able to duplicate what Redding has definitely established, can be done.

Opposition Develops

While the city of Redding, as has most every other city, publicly owned, maintained and operated a sanitary sewer system since its beginning, there was never any objection to public ownership of this nature. However, when the city proceeded to acquire pole lines which occupy the same streets for the distribution of electric power, it found itself confronted with the most severe opposition of certain private interests.

These interests have only recently, through their knowledge of the game and ability to do things politically, temporarily taken the management of the Redding plant out of the hands of those who fought for it and placed its control in the hands of those who are bitterly opposed to public ownership of any nature, and who not only used every effort to prevent the city from acquiring it originally but have done all in their power to discredit the idea and make it unpopular since it has been owned and operated by the city.

With municipal ownership in Redding now in the hands of the enemy those who were responsible for the original idea can only await with interest to see what the future may bring forth.

E. A. ROLISON.

Departmental Auditing for Municipalities

BY

JOHN S. MYERS, CITY CONTROLLER,
LOS ANGELES, CALIFORNIA.

I feel gratified that I have the privilege of speaking to you on the subject which has been assigned me, not that I have prepared such an excellent paper, but for what might be termed a selfish motive; selfish to the extent that I may be benefited by some helpful thought which I may get by reason of discussions on the addresses and papers that may be presented here this afternoon.

Doubtless we have all experienced the time, when engaged in earnest study of some important financial or administrative problem, when consultation with some one of experience on the particular subject would have been gladly welcomed. Therefore, the privilege of enjoying the benefit of meeting with those who are daily dealing with the many important accounting and business problems which we, as Municipal Executives, encounter is to me a most gratifying experience.

However I hope that any apparent selfish motive on my part will not be entirely void of its compensating results to you in that I may leave with you some thoughts worthy of consideration.

Meetings such as these are very helpful not only to the ones who attend them, but to the municipalities which are fortunate enough to have a representative present.

I recently returned from Rochester, New York, where I was in attendance at the Twentieth Annual Meeting of the National Association of Controllers and Accounting Officers. There were several addresses delivered and papers presented before that Convention on important accounting and managerial problems relating to Municipal Government. There were also many helpful discussions in

regular session and round table meetings on the many good points brought out in the addresses and papers.

I am not unmindful of the great personal benefit derived from meeting with such a gathering of municipal representatives from all parts of the United States, besides that accruing to any City Government fortunate enough to be represented. These meetings serve to broaden our views and enlighten us on the most logical, practical and efficient manner of mastering the many difficult administrative and accounting problems which we encounter.

I sense a feeling of personal pride in being a member of such an organization, and for the privilege of being a public servant, when I recall a remark which I heard at the convention, a remark which I shall repeat to you: "I have served thirty-five years in various positions in my City Government, and I yield to no man my love and devotion to the city in which I have spent the greater portion of my life." This remark seemed to fit the condition of many of those present, and to voice their sentiments as to their loyalty, love and devotion to the city in which they had spent many years of faithful service.

I am sure that there are many of you here this afternoon who have made a great personal sacrifice and have given unselfishly of your time in municipal work and that your loyalty, love and devotion to your work can be best measured by your manifest desire and effort to attain the highest degree of efficiency and to obtain more information and data which will enable you to serve your respective communities more intelligently and ef-

fectively, and to impart to others the invaluable knowledge which you have gathered through your struggles with municipal problems.

Before attempting to outline the procedure which an accountant should follow in Municipal Departmental Auditing, it might be well to speak in a general way of the accounting procedure, which, to my mind, should obtain in a Municipal Government, and to give you some idea as to the volume of business we handle for the City of Los Angeles, and the manner in which it is handled, as in that way you may get a more definite perspective of what is required in the line of Departmental Auditing for a large city.

We may admit that the accounting problems of a city will differ somewhat from those of a commercial corporation, yet it should be borne in mind that the same underlying fundamental accounting principles and procedure should be complied with in accounting for the business of a city.

I also believe that not only should general accounting principles be applied and observed in Municipal Accounting, but that a well defined and devised cost system should form a part of the accounting scheme in accounting for the business of a city. This procedure would make it possible to obtain more accurate and dependable operating statements and financial results.

I might say that we are now working with that view in mind. While it may not be logical to install as complete a cost system in a municipal government as in a manufacturing plant, yet it should be so devised as to permit of obtaining correct operating statements.

The facts concerning the operation of a city government should be brought out in complete comprehensive operating and financial statements, which would give the operating officials accurate and dependable information for their guidance,

instead of having to look to the tax rate as a barometer or guide to efficient and economical management.

I am confident that if a municipality could be operated as we would a corporation or a privately owned enterprise, we could make a substantial cut in the cost of operation, with a corresponding increase in net income which would be reflected in the form of a dividend through the reduction of taxes.

Intelligent supervision of a public as well as a private business, requires that pertinent facts be accurately and systematically obtained and promptly placed before responsible officials and made available to the public whose support is essential to the successful operation of any administration.

One of the principal and very important duties to be performed about the close of each fiscal year, is the preparation by my office of the figures and data necessary to be contained in an Appropriation Ordinance covering a Budget of Expenditures for the next fiscal year, which this year amounts to approximately \$32,144,000.

Another very important duty of my office is to each year determine the city tax rate, which has just been approved by the City Council at \$1.54 on each one hundred dollars' worth of taxable property.

It might be well to inform you that our Charter provides that the tax rate for general purposes shall not exceed \$1.25 on each one hundred dollars' worth of taxable property.

Owing to the fact that the new City Charter, which became effective July 1, 1925, provides specific rates for certain departments and purposes, it was necessary, in order to meet our requirements for the fiscal year ending June 30, 1926, to establish the maximum tax rate of \$1.25 for general purposes. Departments which are now to receive annually

certain definite rates are the Library, Park, Playground and Public Improvement Departments. These Departments were heretofore included under the caption of General Purposes.

The following table of requirements for the fiscal year ending June 30, 1926, as compared with the fiscal year ended June 30, 1925, will give you some idea as to our requirements and activities:

	RATE		REVENUE	
	1925	1924	1925	1924
General Purposes.....	\$.95	\$1.039	\$13,941,654.89	\$14,290,002.97
Library.....	.07	.051	1,027,279.84	1,702,471.28
Parks.....	.07	.030	1,027,279.84	414,733.00
Playgrounds.....	.04	.017	587,017.05	227,735.00
Public Improvements.....	.06	.060	880,525.57	824,850.33
Fire and Police Pensions.....	.06	.053	880,525.57	724,589.50
Total.....	\$1.25	\$1.250	\$18,344,282.76	\$17,184,382.08
Bond Redemption and Interest.....	.29	.380	4,255,873.60	4,224,052.14
Total.....	\$1.54	\$1.630	\$22,600,156.36	\$21,408,434.22

The difference of \$9,543,844, between the amount of our requirements for the fiscal year ending June 30, 1926, in the sum of \$32,144,000, and the amount which will be realized from taxation, amounting to \$22,600,156, will come from the earnings of our Harbor, Power and Water Departments, and from other Departmental Receipts and Miscellaneous Income, such as Fines, Rents, Franchise Income and Interest on Bank Deposits.

The above requirements for General Government Expenses and Bond Redemption and Interest for the fiscal year ending June 30, 1926, in the sum of \$32,144,000 includes no part of the Bond Funds which will be disbursed during the fiscal year for Construction and Improvement purposes, which will amount to approximately \$27,000,000 nor the disbursements covering operation of the Harbor, Power and Water Departments which will amount to approximately \$28,000,000, all of which passes through my office.

Considering the fact I have said that the underlying fundamental accounting principles and procedure applicable to commercial business should be observed and complied with in accounting for the business of a city, I shall take the same position with reference to the principles

involved, and the procedure to be followed in **Municipal Departmental Audits.**

We maintain a **Staff of Accountants** for Departmental Audit work, and endeavor to impress them with the importance of the duties they are to perform, which, I believe, are the same as the duties and responsibilities assumed by a Public Accountant.

It is very important that Staff Accountants be **entirely familiar** with all the **laws** under which a city is operated; the Charter, Ordinances and State Laws pertaining to or affecting the accounting methods, procedure and requirements.

We endeavor to impress the Staff Accountant with the fact that he **must keep abreast of the times**, be alert and conversant with all new and improved methods of handling accounting problems.

We look upon our Departments, which consist of about forty separate and distinct Departments, as so many clients, which compares with the Corporations a firm of Public Accountants may have as clients, with a possible exception; a Public Accounting firm may lose a client once in awhile, whereas, we always know just how many we must look after, and will call for our service, and if they do not call for or in their judgment do not need

(Continued on page 201)

ADVANTAGES OF THE CONVENTIONS

AS DESCRIBED BY H. E. GRAGG, CITY CLERK OF MODESTO, SPEAKING
AT THE LAST CONVENTION AT LONG BEACH.

Mr. Chairman and Delegates:

I presume in point of experience, I am the youngest city clerk here. A little more than a year ago, I assumed the responsibilities of the combined offices of City Clerk, Assessor, Auditor, Treasurer and Tax Collector of Water, Wealth, Contentment, Health, known as Modesto. Little did I know at that time of the tremendous task which I had undertaken. My predecessor, after one week's instruction, pulled out and left me to sink or swim. Immediately I took a survey of the situation and realized that nothing but scientific methods could be employed if I were to master the situation, owing to the tremendous amount of work involved by reason of the fact that all of the departments enumerated above were allied under my supervision.

The duties of a City Clerk are many and varied and the methods of putting them into execution must necessarily vary according to the ideas of the official in charge. I presume every City Clerk has his own particular problems to be met and a great many times their ingenuity is taxed to the utmost in finding the best way to handle those problems.

I know of no better place to go to get ideas and methods that will aid him in his work and make of him a more efficient official than to attend the convention of the League of California Municipalities each year.

After the official duties of serving the Mayor and City Council at their meetings and transcribing the minutes into books of permanent record and after transcribing all resolutions and ordinances into books of permanent record and properly indexing them, comes

Service To Public

It seems to me that the next important duty of a city clerk is the method or

manner in which he serves the public. This is an age of service and as that is about all you can give the public in return for the taxes they pay, it behooves us as city clerks to render that service to the very best of our ability.

Method of Accounts

Owing to the tremendous number of money transactions passing through the city clerk's department each month, as well as all other departments, we must as a matter of accuracy and for keeping of perfect records and in the matter of economy to the city, employ the most scientific methods of accounting and yet eliminating every vestige of red tape in so doing. In order to illustrate this to you, the city clerk is charged with the collection of water rentals, which are operated very largely on a flat rate basis. There are some four thousand water consumers which we have educated to come to the city office each month and pay their water bills, thereby saving the city the cost of making up statements and the cost of mailing them each month, which in itself is a saving of \$100 to \$150 each month in clerical work and postage. We have an ordinance which provides they must pay by the 10th of each month in advance or 10 percent will be added to the charge; if it is not paid by the 20th of the month, the water is turned off and a fine of \$2.50 is charged for turning it on again, plus all back charges. We have provided a duplicate receipt which is written very quickly and yet is a complete record of the transaction. All other transactions in the city clerk's department are written in duplicate, receipts such as electrical imp., plumb. inspections, building permits, water tops, sewer connections and miscellaneous collections. Our cash is made up every night in about 30 minutes, from

(Continued on page 199)

BUREAU OF PUBLIC HEALTH SERVICE

Washington, May 8, 1926

PUBLIC HEALTH ENGINEERING ABSTRACTS

Report of Committee on Communicable Diseases Affecting Man, Their Relationship to the Milk Supply and to the Public Health. John L. Rice. International Association of Dairy and Milk Inspectors Fourteenth Annual Report, October 12, 14, 1925. pp. 51-61.

The author gives the amount of milk consumed during the year 1924 as 50 billion pounds being used for household purposes. With the many persons coming in contact with the milk and with its many chances of infection there were few epidemics traced to milk. It was concluded that either a failure is being made of properly placing the responsibility of diseases or epidemics on milk or else the methods now in general use are controlling the situation in the majority of instances.

Three suggested safeguards decreasing the hazards of milk consumption are pasteurization, cleanly methods of production and distribution, and the tuberculin testing of cattle. The article reviews Dr. Price's report for the Committee on Pasteurization of Milk and Cream 1924, and mentions other outbreaks of typhoid fever and scarlet fever. Some mention is made of typhoid fever and diphtheria carriers.

W. W. WHITE.

A Study of Commercial Pasteurizers in Boston. Alexander R. Tolland. International Association of Dairy and Milk Inspectors Fourteenth Annual Report, October 12, 14, 1925. pp. 62-69.

This article shows that properly designed and constructed equipment will give the maximum efficiency provided it is operated by intelligent help. Positive holding shows highest elimination of bacteria. At least 95% should be eliminated after pasteurization.

The Soaker type bottle washers turn out bottles as near to sterility as possible. Hand-washed bottles show highest counts varied from 20 to 16,000 per c.c. Dairy inspection, country creamery inspection, plant inspection, taking of temperatures, sediment tests, acidity tests, direct microscopic work and reductase tests should be carried on with renewed vigor as processing will eliminate only a certain percentage of bacteria.

W. W. WHITE.

Sanitary Efficiency in Country Milk Receiving Stations. Russell S. Smith. International Association of Dairy and Milk Inspectors Fourteenth Annual Report, October 12, 14, 1925. pp. 70-91.

Many useful suggestions are given in this article regarding receiving stations, locations, sanitation, construction, ventilation, drainage, time of delivery and many other useful things are thoroughly discussed. The advantages and disadvantages of test for quality are explained, showing which would be most useful.

Union **D** Grade Asphalt



"B" Street from Alice Street, Hayward, California, $3\frac{1}{2}$ "x $1\frac{1}{2}$ " Asphaltic Concrete, laid by J. A. Costello, Jr., in 1922. No maintenance. Condition excellent.

Prominent city and highway engineers say that there are seven practical reasons why asphalt pavements are superior to other kinds. *Union "D" Grade Asphalt*, chosen by many, offers these advantages which are exclusive to this type of pavement:

1. Economically laid; economically maintained.
2. Smooth Surface—No Joints—Low Tractive Resistance.
3. Contraction and Expansion Absorbed Within Itself—No Surface "Buckling."
4. Absorbs Impact of Fast or Heavy Traffic.
5. Waterproof; Noiseless, Dustless, Easily Cleaned.
6. Most Practical for Resurfacing—More Economical; Quicker; Lasts Longer.
7. Easily and Quickly Replaced—No Traffic Delays—(when cut into for repairs to conduits, cables, etc.)

Specify *Union "D" Grade Asphalt* for the next job.

Union Oil Company
of California

Asphalt Pavements *are* Correct in Principle.

City Health Departments should have sanitary inspection record on file showing what facilities are present and whether or not in daily use. It was concluded that the primary function of a milk receiving station is to cool milk properly and thus prevent spoilage until it arrives at the pasteurizing plant.

W. W. WHITE.

The Bacterial Content of Ice Cream. A Report of Experiments in Bacterial Control in Six Commercial Plants. N. E. Olson and A. C. Fay. Kansas Agricultural Experiment Station, Manhattan, Kansas. *Journal of Dairy Science*, Vol. 8, No. 5, September, 1925. pp. 415-444. (See P. H. E. A., Mi, May 1, 1926, page 6.)

Six plants were selected for the work, four days being spent at each plant. No change was made in the usual plant methods of operation for the first two days, while on the last two the entire process was supervised, correcting as far as possible faulty methods observed during the first two days.

Methods of sampling and bacteriological methods are outlined. Results are given in bacteria per gram. Standard methods are used. Since conditions varied in the plants and methods were not identical, the methods employed and results obtained are discussed for each plant.

Tables are given showing (1) the bacteria count per gram of manufacture; (2) number of bacteria per gram of ice cream mix at various stages of manufacture; (3) per cent of the total count due to each ingredient and per cent composition of the mix; (4) the average counts for the two days unsupervised and for the two days under supervision. The results indicated that under proper operating conditions a low count cream could be obtained. The average count for all the unsupervised finished ice cream was 390,225, as compared with 39,127 for the supervised. The highest count under the supervised was 91,000, and the lowest 3,200. Some of the conclusions arrived at are as follows:

Cream and milk are the most important source of bacteria in the raw ice cream mix. In most instances these products supplied over 99 per cent of the total bacteria in the raw mix.

Thorough washing with an alkaline washing powder and sterilization of all equipment with live steam are essential factors in the production of ice cream of low bacterial content.

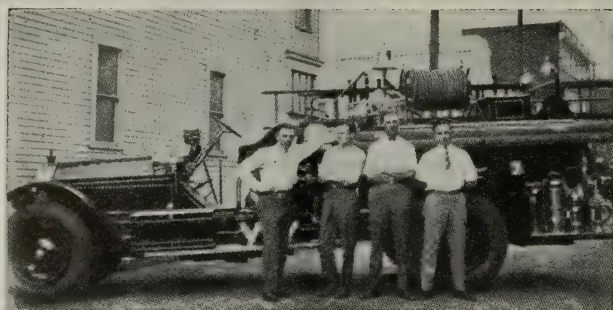
Conveying pipes, pumps, and homogenizers cannot be properly cleaned without being taken apart.

Hypochlorite solutions, when properly used, give satisfactory results in sterilizing ice cream plant equipment.

The use of pasteurizing equipment for two or more successive mixes without washing may result in high counts, due to the growth of thermophilic bacteria.

Proper pasteurization is the most important factor governing the bacterial count of ice cream. Pasteurization at 145° F. for thirty minutes, and homogenization at pasteurizing temperature, result in counts of less than 100,000 bacteria per gram in the finished ice cream, provided equipment contamination is reduced to a minimum. These results were obtained even with raw mixes containing as high as 34 million bacteria per gram.

Ice cream mix should be cooled as soon as possible after homogenizing, to prevent bacterial growth.



CITY OF CHEHALIS WASHINGTON

A. G. Long, Inc.
Portland, Oregon.

Gentlemen:

Am writing you this letter to let you know how our big American-LaFrance pumper worked last evening.

I received a call from one of the Council at Winlock at about 8:30 P.M. that they needed help that the Veness Mill was burning up, so I told him we would be on the road in a few seconds. I drove the big pump myself and had three of my men with me, we went on the highway for five miles, then took the old dirt road the balance of the way. We started with about twenty cars following us, but when we arrived in Winlock there were no cars to be seen. We made the run from here to Winlock in twenty minutes flat, sixteen miles, and eleven of it was dirt road, with all the turns in it to make you think you were on a roller coaster, or a figure eight, and if it is permissible, I must say the old sport worked like a clock, it handled like a baby buggy and rode like a pullman. At no time were we in any danger. I thought she would skid on that dirt road, but she never made an attempt to skid.

When we arrived in Winlock, the whole town turned out to see what was coming. When we got in the middle of the town they flagged us down and told us that they had the fire under control, so we went down to the mill to see what had burned. What did we find? Fifteen lines of inch and a half hose in action, but the fire under control. The Fire Chief at Winlock sure did good work to stop the fire where he did, for she sure was in a bad place. They estimate about ten thousand dollars damage. I will send you a copy of the letter which I received from the Mayor of Winlock and citizens.

Our mayor also received a letter with a blank voucher, but we will make no charge for our services.

Yours truly,
(Signed) E. C. Kuehner.
Chief Fire Dept.



Sixteen Miles in Twenty Minutes

New Record Run for American-LaFrance

Fire apparatus that will run sixteen miles, eleven miles of the distance over dirt roads, in twenty minutes, is certain to meet that important requirement of all fire apparatus, namely, arriving at the fire without delay.

American-LaFrance has established unduplicated records for both road runs and endurance while pumping. That is why it should be in your fire department.

AMERICAN-LAFRANCE FIRE ENGINE COMPANY, INC.

OF CALIFORNIA

1434 HOWARD STREET, SAN FRANCISCO, CAL.

2339 EAST NINTH STREET, LOS ANGELES, CAL.

(Continued from page 174)

locations if you are stopping outside of Yosemite Valley.

Bring along your fishing rod. Only a limited supply of rods are for rent at Yosemite Valley; however, the stores at Camp Curry and at old Yosemite Village can furnish you with rods and flies at city prices.

Don't forget the camera. The only kind of shooting allowed in Yosemite National Park is that done with cameras. There are many excellent shots that are worth taking. Camp Curry studio offers a prize each month for the best photograph submitted in a contest. Win the prize and help pay your expenses to Yosemite!

Firearms are not allowed in Yosemite National Park, nor are dogs or cats. Yosemite is a great game sanctuary and the absence of guns and dogs and cats has made the wild life so tame that you can photograph it easily.

Prohibition is enforced strictly in Yosemite National Park by the park rangers. They are doubly alert because the narrow mountain roads must be kept safe at all times.

The National Park service maintains a nature guide at glacier point and in Yosemite Valley for those who are interested in studying the lore of Yosemite. These guides conduct daily trips which are free and they are glad to answer any questions of visitors. Their headquarters is at the new museum in new Yosemite Village.

The museum is worth a visit because of its collection of interesting Indian relics

and its exhibits describing the history of Yosemite Valley both before and after the coming of man.

Mail should be addressed to the Camp Curry post office, if you have reservations at Camp Curry, and to Yosemite Lodge post office, if your reservations are at Yosemite Lodge. If you are stopping at the housekeeping camps or are camping out, your mail should be addressed to the General Post Office, Yosemite National Park, California.

For the convenience of those who wish to take horseback trips or hikes over Yosemite's high Sierra trails without the inconvenience of carrying food and baggage, the Yosemite Park and Curry Company maintains a chain of high Sierra camps. These are located at convenient days' walking distances from each other. The nearest one to Yosemite Valley is little Yosemite Valley; the next camp is at Merced Lake; from there the trail goes to Booth Lake, more than 10,000 feet above sea level, the heart of the trout region. From here the trail leads over to Tuolumne meadows lodge on the Tioga road. The next day's trip is to Waterwheel Falls, then back to Tenaya Lake, where another high Sierra camp is located. From this camp, it is an easy day's trip back to Yosemite Valley.

Motorists are urged to leave their automobiles in the valley long enough to enjoy this spectacular and rugged back country of Yosemite. The trails are excellent and are easily followed. This is the real Yosemite!

GRIFFITH COMPANY

Owners of

FAIRCHILD-GILMORE WILTON CO.

Paving Contractors

Rooms 500-504
Los Angeles Railway Building

LOS ANGELES



G-E Street Lighting Specialists will study *your* city's needs as they studied those of Indianapolis, and will co-operate with you in the selection of ideal street lighting for your city.

Ideal illumination in Indianapolis

Less than a year ago Indianapolis started its program for ideal street lighting throughout the city when the Merchants Heat & Light Company began the installation of 5,270 street lights—G-E Novalux Lighting Units mounted on Union Metal Poles.

This system was planned by city and central-station officials with the co-operation of G-E Street Lighting Specialists. John B. Reynolds, General Secretary of the Indianapolis Chamber of Commerce, recently wrote:

"Now that installation of the new street lighting system in our good city, installed by the Merchants Heat & Light Company, has progressed to the point where our citizens generally are taking note of the improvement, it becomes appropriate for me to congratulate you of the General Electric Company upon the system."

Information that proved invaluable in the selection of correct lighting for the business and residential districts of Indianapolis was provided by the Street Lighting Specialists of the General Electric Company, and their recommendations formed the basis of the ideal street lighting system which this city now is beginning to enjoy.

GENERAL ELECTRIC

GENERAL ELECTRIC COMPANY, SCHENECTADY, N. Y., SALES OFFICES IN ALL PRINCIPAL CITIES

(Continued from page 173)

National Park, there will be added this year the new all-year road along the Merced River. This road will be finished by the end of the 1926 summer season and will permit year-round travel by motor into the Valley.

The greatest number of motorists have come into Yosemite in recent years over the Wawona road, which enters Yosemite Valley from the south. Wawona is really the converging point for three roads leaving the San Joaquin Valley state highway at Fresno, Madera and Merced and joining not far from the Mariposa Grove of Big Trees.

Second in popularity has come the Big Oak Flat road, which enters Yosemite Valley from the north. Modesto, Manteca, Stockton and Oakdale are the points at which this road can be taken by those traveling up and down the San Joaquin Valley.

The Tioga Pass road, connecting Yosemite National Park with Lake Tahoe, has been described as the world's greatest mountain motor tour. At one point near Tioga Pass it reaches the height of almost two miles above sea level. This road is in good condition from July 1st to October 1st. Last year as many as 200 motorists per day came over it into Yosemite National Park.

At Mono Lake, the eastern end of Tioga Pass, the Tioga road connects with the Bishop-Mohave route from Los Angeles.

Motoring in the mountains has ceased to be a worry to the average western driver. During the last season not one single serious accident occurred on the high mountain roads of Yosemite—a tribute to the care with which motorists drive on these roads.

Roads into Yosemite are well marked and while they are steep in a few spots they are generally in good condition and are easily traversed.

The most important thing for the mountain motorist to remember, accord-

ing to Yosemite National Park officials, is to use low gears when they are needed. It is no disgrace to use low gears in the mountains—drivers of the best cars made have to do it.

Another suggestion from the park authorities is that the motorist have his brakes tested and his machine tuned up before starting into the mountains. This done in time sometimes adds to the pleasure of the trip.

Not infrequently motorists attempt to drive too far in the mountains in one day. The most pleasurable way to drive into Yosemite, by either the Wawona road or the Big Oak Flat road, is to stop overnight at one of the gateway cities in the San Joaquin Valley and start the trip into Yosemite fresh in the morning. In this way the driver can take time to see the wonders along the route, many of which are among the finest that Yosemite offers. It makes the trip doubly enjoyable to have plenty of time.

For those who care to camp, numerous camp sites are available along the roads entering Yosemite. In the Valley itself and along the Tioga road, at Glacier Point, and in the Mariposa Grove of Big Trees, are camps and lodges where motorists can find the accommodations they desire.

TAKE TIME TO SEE YOSEMITE RIGHT

A new movement has been started in Yosemite National Park. It is known as the Take-time-to-see-Yosemite-right movement. Heretofore many travelers visiting Yosemite for the first time have found with considerable regret that they have allowed themselves insufficient time to see all of Yosemite.

Yosemite Valley has been well known for many years, but many visitors have not known that surrounding the Valley is a country very different but equally as interesting in its natural wonders as the famous Valley. Yosemite Valley itself is but eight of the 1124 square miles in Yosemite National Park. This vast area, al-

FOR PERMANENCE

USE

VITRIFIED CLAY PIPE

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most as large as the state of Rhode Island, is covered with a network of well built trails and many parts of it are available to motorists during the summer months.

To call the attention of travelers to the fact that it takes more than two days to see Yosemite right, the park and concession authorities have prepared booklets showing the extensive area of this great National Park.

Thirty miles to the north of Yosemite Valley is Hetch Hetchy, a beautiful mountain lake created by a dam built by the City of San Francisco to impound the waters of the Tuolumne River. This valley was once a miniature Yosemite—today it is a splendid fishing lake.

North and east of Yosemite is what is known as the Tuolumne Meadows country, a region more than 8,000 feet above sea level, from which Sierra peaks project their crests 4,000 feet higher still. Tuolumne Meadows itself is the hub from which radiate a dozen or more trails, each leading to some mountain lake, to waterfalls, to two-mile high passes, to trout streams, living glaciers and glacially carved cliffs and domes.

Directly east of Yosemite Valley, by way of Vernal and Nevada Falls and the Merced River canyon, is the Merced Lake region, reached only by horseback or on foot. This is the very heart of the High Sierras, a region famed for its fishing, for its gnarled junipers, its quaking aspens and stately pines.

South from Yosemite Valley is the Mariposa Grove of Big Trees, the high priests of the Sierras. This grove, one of the few remaining small spots wherein the giant sequoias grow, contains some of the best specimens of these remarkable trees. The monarch of this grove is the Grizzly Giant, a tree 92 feet in circumference. The most widely pictured tree in the world perhaps is the Wawona Tree, through which a tunnel has been built and through which automobiles and motor stages pass in their tour of the grove.

To call attention to the vast extent of Yosemite's scenic resources, the Yosemite Park authorities are endeavoring to place information in the hands of every railroad and tourist agent in the country that travelers to Yosemite may be advised to see this one national park more completely.

YOSEMITE AS A CONVENTION CENTER

Yosemite Valley, in the heart of Yosemite National Park, California, is becoming one of the most popular convention sites in the country. Each year new organizations are added to the list of those who have held their annual gatherings in the great outdoors.

These are a few of the reasons that Yosemite Valley has become a most popular convention resort:

A convention in Yosemite is more than a mere convention—it is a restful outing and a wonderful experience as well.

A convention in Yosemite attracts a record attendance of delegates and makes for a bigger and better gathering than ever before.

Committee work moves rapidly in Yosemite because attendance is concentrated in a small place and meetings are not made difficult by the distractions of a city.

After the sessions are over delegates and their families can enjoy a few days of vacation in California's most noted scenic wonderland.

The climate of Yosemite is always invigorating and delightful.

Experience of organizations that have held conventions in Yosemite indicates that expenses are considerably less, in spite of the superior advantages offered.

Yosemite has adequate hotels, dining facilities and transportation lines, all operated by the Yosemite Park and Curry Company. The rates are fixed with the approval of the United States Government, and delegates are assured thereby that their expenses will be moderate and generally less than city hotels charge for similar accommodations.

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Yosemite National Park is so situated that it is easily accessible by train and by motor from all parts of the Pacific Coast.

Railroad excursion rates are available to Yosemite the year round.

Yosemite furnishes convention halls, committee rooms, motion picture and stereopticon machines and other necessities for conventions, without additional charge.

Every evening and between sessions of conventions there are unusual opportunities for amusement and recreation to break the routine of convention work.

Special facilities are available for distribution of publicity to stimulate attendance, and to see that proper publicity is given to the work of the convention.

Following the convention a number of trips to points of interest, including the Mariposa Grove of Big Trees, Glacier

Point, 3200 feet above Yosemite and overlooking the dozens of High Sierra peaks, Hetch Hetchy, Tuolumne Meadows and other attractions of Yosemite National Park, are available either by motor stage or in the machines of delegates who drive in.

Yosemite sports, which can be enjoyed by delegates, include hiking, horseback riding, fishing, swimming, tennis, camping and other activities which only the High Sierras can offer.

Some of the organizations that have met in Yosemite in recent years are: California Medical Association, Foresters of America, California Press Association, California State Association of Optometrists, California Bankers, California Conference of Social Workers, California Library Association, California Land Title Association and the District Attorneys' Association of California.

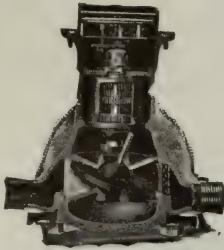
(Continued from page 176)

without saying. Some of them are of considerable consequence while others are not so important. One which happens to be called to mind at the present writing is in relation to the fines and forfeitures imposed by a town recorder for the infraction of state laws. Sections 1457 and 1570 of the Penal Code as originally enacted were ambiguous and uncertain as to the disposition of fines for the infringement of state laws when the case was prosecuted in a municipal court. In 1891 the supreme court held that the fines and forfeitures imposed by a town recorder for cases prosecuted before him under the state law were payable into the county treasury, not that of the city. Later these sections were amended so as to make it clear that such fines or forfeitures should be paid into the treasury of the city instead of the county. However, the amendments did not clarify the sections in the mind of the court and, in the recent case of *Shaw v. the City of Coalinga*, it was held that a town recorder when sitting

for infractions of a state law is acting in the capacity of a township justice and not as a municipal judge, wherefore the fines and forfeitures imposed in such cases must be paid to the county. This is one of the small matters which can be remedied by the adoption of a freeholders charter, as it can be clearly provided in such case that all such fines and forfeitures shall be retained by the city.

PUBLICITY OF CANDIDATE

Another feature to be found in some of the modern city charters recently adopted in California is one which provides for the kind of publicity or advertising that must be done by all candidates for elective office. A questionnaire which the candidate is required to fill out and answer makes it necessary for him to give such information concerning his experience and qualifications as he would be called upon to give in case he were seeking employment in the United States Civil Service or any private corporation.



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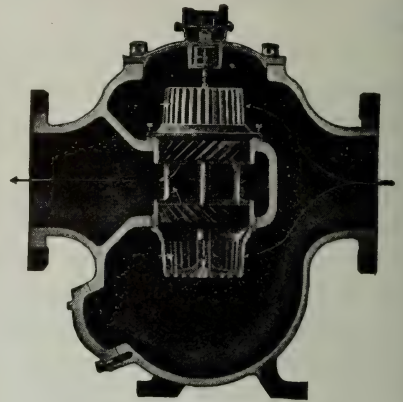
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Under the law as it now stands there is nothing which requires the candidate to furnish the electors with information concerning his qualifications, training or experience except that which he chooses to give through the medium of the public press. As a result he only discloses those things about his past career which would appeal to the public favorably, withholding everything which might have a contrary effect. Under the provision referred to, which is embodied in several of our modern city charters, a candidate cannot withhold anything, but must answer the questionnaire in full and make an affidavit to its truthfulness.

Such a provision is not only reasonable but gives the voters information to which they are unquestionably entitled. In order to vote intelligently one must know something of the experience and qualifications of the candidates. The first charter in California to adopt this provision was that of the City of Alameda in 1917, but several attempts have been made in the state legislature to incorporate a like provision in the general election laws of the state.

INITIATIVE, REFERENDUM AND RECALL

The provisions relating to the exercise of the initiative, referendum and recall as now embodied in the general laws of the state are defective, and often operate unjustly, wherefore the modern city charter has provided restrictions for their use which remedy the defects and make them more acceptable. Among other things it is provided in some charters that petitions for exercising the initiative, referendum and recall shall not be circulated but may be deposited in three or more public places to be designated by the council, due notice thereof being given by publication. The reason for this requirement is due to the recognized weakness of the average petition, everyone being aware of the fact that signatures to petitions do not necessarily reflect the real sentiment of those who sign them, but, in many cases, are affixed because the signer wishes to be accommodating or fears a loss of business in case he refuses. It is generally recognized that if a person has to go out of his way for a few blocks in order to sign a petition, his signature will be more likely to reflect his true sentiments.

(Continued from page 186)

these receipts and entered in a day book with columns provided for each account; at the end of the month, the city clerk settles with the auditor with a slip such as this sample, and this in turn is entered in cash received and distributed to proper accounts. The settlement with all other departments via license collector, tax collector, city library and city recorder are all made in the same manner.

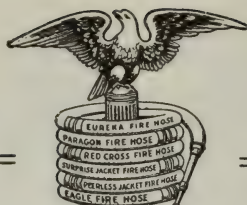
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The city of Modesto does between a quarter and a half million dollars worth of business each year, which is done through the administration offices of the city with a staff of people besides myself. I might add that our system and methods of

handling this business is highly satisfactory to the various public accountants who audit our accounts each year.

Closing Remarks

In closing, I wish again to emphasize the lasting good and benefit that comes to each of us as individuals and to the cities which we represent, by attending these conventions. Personally, the fine talks which it has been my pleasure to listen to and the personal conversations I have had with the different delegates I have met here, has been an inspiration to me from which I expect to derive great benefit. In the few remarks I have made to you today, if I have left one thought with you that will be of benefit to you in your work, I shall not consider my effort lost. I thank you.



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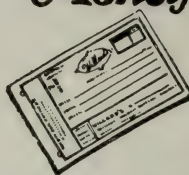
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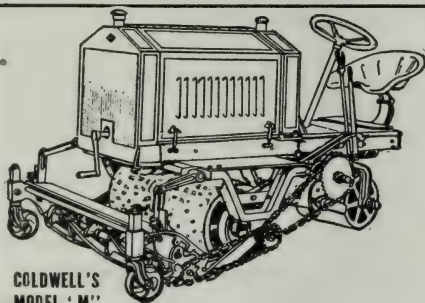
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(Continued from page 185)

our services, they will get it any way, as each department is checked at varying intervals.

I believe I am correct in saying that not long ago the chief objects of an audit were the **detection or prevention of errors and fraud**, while today an audit would fall far short of its real value if the accountant confined his efforts entirely to these purposes.

While we do not overlook the importance of preventing and disclosing irregularities in handling and accounting for the Revenues of the City, by the various Departments, and while we do sometimes find employees falsifying their accounts, these cases are very rare, and comparatively few compared with a decade ago when I inaugurated this service in the City Auditor's Office (now City Controller).

We sometimes find that a person entrusted with the handling of funds will falsify the accounts by reporting an amount **short** of the amount **actually collected** for a certain purpose. These cases are usually very easy to detect owing to the safeguards which surround the handling of such matters.

Most of our work in Departmental Auditing is of a **constructive nature**. We endeavor to **assist** the Department Accountants with their problems, and to impress them with the importance of not only keeping **accurate records**, but that they should be so kept as at all times to reflect the **true financial** condition and the **result of operating** the Department.

Of course we endeavor to surround the transactions of each Department with all possible safeguards, and in most cases the internal check is sufficiently adequate to readily detect any fraudulent transactions. There are cases, however where an internal check cannot be had with any degree of safety, due to the fact that **one person** may handle practically

all the records of the Department, in which case it is necessary for the Staff Accountants to use every precaution in not only protecting the interests of the city, but to prevent, if possible, an employee from starting on a wayward career.

In my opinion, it is just as important that, after an audit has been made, to render a **complete and comprehensive** report, as it is to be satisfied that **all transactions have been properly handled** and accounted for. Therefore, we endeavor to impress the Staff Accountants with the fact that the **character, arrangement and wording** of a report is of unusual importance, not alone in recognition of good accounting practice, but for the purpose of conveying to the Department Manager the important information they should have in readily understandable form. Furthermore, audit reports are kept for an indefinite period and while they may be made for some certain person or persons, they sometimes travel far from their original destination and fall into the hands of critics who may subject them to adverse censure. Because of this possible circulation, and to preclude the possibility of unjust, or unfavorable criticism, the greatest care should be exercised in compiling and writing an audit report.

I do not pretend that the accounting system of the Controller's office is ideal or fully developed, though I do know that it is highly regarded by those who have had opportunity to acquaint themselves with it, but I can believe in the possibility of a general and sufficiently adequate Cost Accounting System being so devised and installed as to overcome most of our present difficulties.

May I wish for you who are entrusted with the responsibility of keeping municipal accounts, such a system.

Read at the Auditors', Assessors' and City Clerks' Division, League of California Municipalities, Long Beach, California, September 29, 1925.

(Continued from page 109)

It is possible and practical to produce ice cream containing less than 100,000 bacteria per gram under all plant conditions, provided that efficient pasteurization is practiced, that the temperature is controlled during aging and that equipment is properly washed and sterilized. High bacterial counts indicate carelessness at some point in the manufacturing process which in turn indicates an undesirable, if not an unsafe, product. There can be no valid excuse for ice cream containing more than 100,000 bacteria per gram as determined by the plate method.

R. E. TARBETT.

Pasteurized Milk. Anon. Monthly Bulletin, Indiana State Board of Health, Vol. 29, No. 2, February, 1926. pp. 19-20.

This article presents a résumé of the results of investigators regarding the infection of infants and children with bovine tuberculosis, and the results of pasteurization of milk in destroying the tubercle bacillus, the typhoid bacillus, and other pathogenic organisms. The percentage of tuberculous children and infants infected with the bovine tubercle varies from 10 to 25 according to various authorities.

ISADOR W. MENDELSON.

The Taste of Chlorinated Water. Alexander Houston. Medical Officer, Vol. 33, No. 12, March 21, 1925. pp. 132-133.

Tastes in chlorinated waters are divided into three broad classes: (a) "chlorinous," (b) "iodoform" and (c) "indeterminate." Chlorinous taste is simply a taste of chlorine and in the laboratory can be removed by de-chlorination, though experience under practical working conditions thus far is insufficient to assure the successful applicability of this method on a larger scale. The only danger of this method is "lack of boldness in pushing the treatment far enough. Boldness is indeed the best antidote to taste troubles."

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Permanganate does not remove a chlorinous taste but renders it more pronounced. In some ways permanganate is a double-edged sword; it has an objectionable taste per se and unless used with great discretion may actually augment taste troubles.

Iodoform taste arises from a host of perplexing factors; it is associated with minor doses of chlorine and seems to be produced by the action of chlorine on substances about which little is known. By filtering through a Berkfeld filter or by adding traces of phenol bodies, the water may be so modified as to produce an iodoform taste. Waters containing little oxidizable substance, notably well waters, are particularly susceptible to these tastes; hence the tastes cannot be said to be due merely to the action of chlorine on organic matters. Tastes of this character may be absent at the works or in the large mains but appear at the periphery of the distribution system.

Unlike chlorinous tastes, those classed as "iodoform" cannot be removed by de-chlorination. Permanganate usually prevents their formation or removes them after their occurrence. If permanganate has been used up and water still contains free chlorine, the chlorine may act on fresh substances and produce the iodoform taste again. Chlorine in excess may also prevent or remove an iodoform taste; in this instance, de-chlorination leaves no after-taste.

The "indeterminate" tastes, termed variously as "earthy," "mouldy," "damp straw," "froggy" and "brickly," are very similar to those found in untreated waters. They are not as common or as objectionable as iodoform tastes. Some of them can be removed or obviated, but others are of a most intractable nature.

H. W. STREETER.

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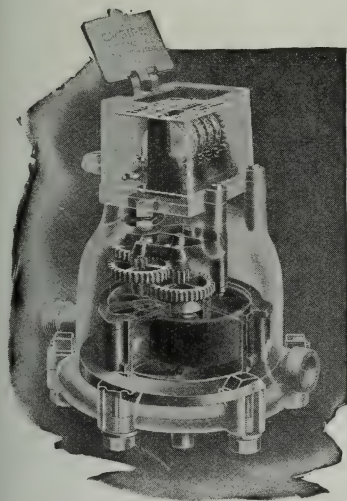
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The "Iodoform" Taste Acquired by Chlorinated Water. B. A. Adams. Medical Officer, Vol. 33, No. 12, March 21, 1925. pp. 131-132.

Tastes and odors in chlorinated waters are (1) "chlorinous" and (2) as resembling iodoform. The former are due to an excess of chlorine and are detectable by usual tests. The latter or "iodoform" tastes can be present with no excess chlorine reaction. During a series of observations of conditions coincident with the appearance of "iodoform" tastes in a chlorinated water stored in open tanks near an industrial center, it was noted that the taste appeared immediately following light rains or heavy fogs, with the wind flowing from the neighborhood of a gas plant. From these observations it is concluded: (1) that there is some constituent of the atmosphere at certain times and places, which combines with the chlorine added to the water and causes an iodoform taste; (2) that this constituent is probably of a phenoloid character, derived from gas works and from imperfectly burnt coal; (3) that the reaction does not occur if the water contains a trace of free ammonia; (4) that it does not take place if the chlorinated water is not exposed to the air or if the water contains an unusual amount of organic matter, and (5) that a chlorinated water should not be exposed to the air, at least in the proximity of towns or gas works, nor afterwards be mixed with water which has been so exposed.

As a corrective treatment for the elimination of "iodoform" taste, Adams reports chloros (sodium hypochlorite) applied in conjunction with ammonia as the most effective.

H. W. STREETER.

The Rate of Solution of Oxygen as a Factor in Biological Purification. Miss N. Basiakine. Fifth Report of the Research Commission on Sewage Treatment (Moscow), Vol. 1, Part 3, 1925. pp. 160-171.

An account of some experiments with "aerofilters" (artificially aerated trickling filters). The theory is advanced that the limiting factor in the rate of biological oxidation is the rate of solution of dissolved oxygen.

1. As the biological oxidation of sewage is accomplished at the expense of dissolved oxygen and as the solution of oxygen in aeration tanks and in trickling filters is exceedingly slow, it is by accelerating the rate of solution of oxygen that a method of accelerating the rate of purification is to be sought.

2. In the case of sewage from Moscow, the different methods may be evaluated in the following manner: (a) in the trickling filters there is a defective ventilation and as a result the partial pressure of oxygen is diminished; (b) using perforated tubes for the distribution of the air, aeration tanks offer a limiting surface of contact of air and liquid; (c) in the "aerofilters" we have a perfect admixture of activated sludge, (biological film?) sewage and air, thus assuring both a maximum rate of solution of oxygen and of biochemical action in the process of purification.

3. The aerofilters offer a maximum of activity in the purification process but they do not permit of so wide a variation in the duration of the purification as the aeration tanks.

4. A complete discussion of the laws governing the rate of solution of oxygen in water is included. The rate is found to vary somewhat directly with the "intensity of aeration" (volumes of applied air per volume of liquid per hour).

E. J. THERIAULT.

Pacific Municipalities

A Monthly Review of Municipal Problems and Civic Improvements

OFFICIAL ORGAN OF THE LEAGUE OF CALIFORNIA MUNICIPALITIES



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PROGRAM OF THE NEXT CONVENTION AT YOSEMITE
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By Bruce Mason, City Attorney of Long Beach

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By Lucius P. Green, Assistant City Attorney of Los Angeles

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INFORMATION BUREAU

The League of California Municipalities maintains in connection with the Secretary's Office, a Bureau for furnishing city and town officials with information on municipal affairs, and loaning copies of new ordinances and specifications. Officials are urged to make a free use of this Bureau. Kindly send a self-addressed stamped envelope in all cases.

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Entered as second-class matter March 22, 1913, at the Post Office at San Francisco, California, under the act of March 3, 1879.

CONFERENCES ON PROGRAM FOR THE NEXT CONVENTION

On Friday evening, June 4th, 1926, a conference was held in San Francisco at the Stewart Hotel for the purpose of discussing the program for the approaching convention and giving some consideration to the question of speakers. In response to the invitations sent out the following persons were in attendance:

Hon. H. L. Moody, President League of California Municipalities, San Diego; K. M. Koch, General Electric Co., San Francisco; E. R. Neiss, Alameda; J. F. Byxbee, Palo Alto; E. J. Sinclair, Berkeley; Samuel C. May, University of California, Berkeley; Philip W. Alexander, San Francisco; L. J. C. Wegner, Merced; R. E. McCormick, Yosemite; J. R. Barker, San Francisco; A. M. Carden, San Leandro; C. R. Thompson, Merced; Dr. Chas. R. Blake, Richmond; G. G. Gillespie, Berkeley; Guy P. Jones, San Francisco; Fred W. Browning, Hayward; James S. James, City Engineer, Burlingame; Chas. N. Kirkbride, Past President, League of California Municipalities, San Mateo; J. W. Coleberd, South San Francisco; H. A. Postlethwaite, Oakland; Lee Shirar, Oakland; D. A. Bourne, Oakland; Norman E. Malcolm, Palo Alto; Marie L. Ogborn, Richmond; Wm. J. Locke, Alameda; C. B. Goodwin, San Jose; Fred Doerr, San Jose; W. L. Popp, San Jose; H. G. Denton, Sacramento; Archer Bowden, City Attorney, San Jose; Jos. B. Kahn, Alameda; W. E. Varcoe,

City Clerk, Alameda; A. E. Sunderland, Mayor, Fresno; Andrew M. Jensen, Com. of Public Works, Fresno; A. R. Linn, Merced County Chamber of Commerce, Merced.

In accordance with the vote heretofore taken on the question of subjects for discussion, that of zoning appears to occupy the most important place in the minds of the city officials. This subject is followed by sewer systems, building codes, pavements, set-back lines, business licenses, and budget systems, in the order stated. Mr. Philip W. Alexander, of the Alexander Productions, was invited to address the meeting and explain the miniature city which he has been requested to exhibit at the convention in Yosemite. Mr. Alexander told how he had made moving pictures of the miniature city showing its growth and development from bare land and Indian wigwams to a great metropolitan center. This exhibit and lecture promises to be one of the most interesting features on the program. Further explanation of what may be expected from this exhibit will be given in the program number of the magazine.

In connection with the subject of zoning, it is interesting to note that the special committee appointed by the city attorneys' section at the last convention of the League has completed its labors and prepared a model zoning ordinance

for small cities. This ordinance has just been mimeographed and one copy sent to each city of the sixth class. Discussion of the features of this model zone ordinance will be one of the most interesting numbers of the program. Connected with the question of zoning and closely related thereto is that of the establishment of set-back lines. This question was recently discussed by Mr. Lucius P. Green, of the City Attorney's Department of the City of Los Angeles, before the City Planning Conference recently held at the Hotel Ambassador of that city under the auspices of the California Real Estate Association. Mr. Green's report is published elsewhere in this issue. It is expected that Mr. Green will attend the convention at Yosemite and have more to say about this most interesting subject.

The question of sewage disposal appears to be second only in importance to that of zoning. Fortunately we will be able to have it presented to the convention in the most thorough and convincing manner by recognized authorities. Appreciating the importance of this question, the American Society of Civil Engineers recently appointed a committee consisting of three members from San Francisco, three from Los Angeles, and three from Sacramento, to work in cooperation with the League of California Municipalities, for the purpose of finding the best possible solution of a problem which is especially important in this state because of our climatic conditions. The chairman of the committee in San Francisco, is Mr. Clyde C. Kennedy, the well known municipal engineer, and associated with him is Charles Gilman Hyde, Professor of Sanitary Engineering of the University of California. The committee will have the able assistance of Mr. C. G. Gillespie, Engineer of the State Board of Health. They will explain the latest and best methods of

sewage disposal and undoubtedly present some concrete recommendations of great value.

At the last convention held in Long Beach the Department of City Attorneys appointed a special committee on a model building code for small cities. This committee has had several meetings but has not yet completed its work, due partly to the recent death of its chairman, the late Judge Hall. One meeting was held at the Berkeley City Hall in conjunction with the committee of the Pacific Coast Building Officials' Conference and it was agreed that the attorneys and building officials should cooperate in the work to the fullest possible extent. One matter which has given the committee some concern involves the question of statutory construction. The committee is anxious to know just how far it can go in the way of adopting public documents by reference. The courts have held that a statute or ordinance is valid where it refers to some other existing ordinance or statute and adopts it by such reference without setting it forth in full, but they have never passed on the question of adopting other public documents by this method. It is important in connection with the preparation of a model building ordinance for small cities for the reason that such an ordinance, in order to be complete, should include many details of building construction which have been generally left out of building codes in small cities. These details are fully covered by certain public documents recently issued by the Department of Commerce, which documents may be obtained from Washington and filed with the city clerk. They are profusely illustrated and cover a large part of the entire field of building construction. For example, one document issued by the department is devoted to "Masonry Wall Construction," another treats of the subject of "Live Loads Allowable in Design of Buildings," while

another is devoted to the construction of flues, chimneys and brick work. If the courts can be persuaded to sustain an ordinance which adopts these public documents by reference only, it will enable us to make a comparatively short building code and one that the cities would be inclined to adopt.

The Secretary of the Department of Commerce, Hon. Herbert Hoover, has stressed the importance of making a building code which will not be too lengthy, realizing that the cost of printing a long ordinance would have the effect of preventing its general adoption. This legal question of adopting municipal ordinances by reference to such documents was recently submitted to the Department of Commerce. The department is inclined to believe that the validity of this method of enacting municipal legislation would be sustained by the courts, calling attention to the fact that in quite a number of states it has been the practice to adopt the National Electrical Code by simple reference. The Department of Commerce recommended that the question be submitted to the Attorney General of California for an opinion and accordingly this has been done. It is expected that the model building code will be completed in time for submission at the Yosemite convention.

The question of pavements will be taken up by some of the leading paving engineers. This subject is always of interest. Another question which promises to be of special importance at this time is in relation to business licenses. It will be discussed by City Attorney R. N. Wolfe of Pittsburg. Besides these questions there will be a discussion of the Telephone Rate case by the Mayor's Telephone Committee of Los Angeles. The great importance of this question should be sufficient in itself to draw representatives from every city and town of the

state. If you are anxious to prevent an unjust increase in your telephone rates, show your interest and desire to participate by sending representatives to the convention. Don't wait until the rates are raised and then appeal to the railroad commission. Remember an ounce of prevention is worth a pound of cure.

There will also be another discussion of the Mattoon Act by its author. The question as to the constitutionality of this act is now before the supreme court and a decision will, in all likelihood be received prior to the time of the convention. If unfavorable, the act will undoubtedly be amended and presented to the next legislature. Another question which was raised at the Stewart Hotel meeting is that relating to the opening of streets. In all probability the question will be given some attention. City Attorney Malcolm of Palo Alto has been asked to present the matter to the Department of City Attorneys.

Mayor Sunderland of Fresno made a suggestion at the conference which appealed favorably to those present and will be adopted as a feature of the program. He suggested that each of the various departments, just prior to the closing of the session, submit a synopsis of their deliberations to the general body. It was agreed that if the presiding officer of each department should appear before the main body just prior to the closing and give a report of the principal matters taken up by his department during the session it would be of great value to the whole convention.

Another feature of the program which should be of exceptional interest will be in the nature of a report from Prof. Samuel C. May, of the Bureau of Public Administration of the University of California. It will be remembered that Prof. May attended the International Municipal Convention at Paris last year, which convention, by the way, was called into

session on the very day we opened our meeting at Long Beach. Prof. May attended a number of municipal conventions while in Europe and has promised to report his observations at the Yosemite meeting.

Among those in attendance at the conference was Mr. A. R. Linn, President of the San Joaquin Chamber of Commerce, and Secretary-Manager of the Merced County Chamber of Commerce. Mr. Linn was accompanied by Councilmen Wegner and Thompson of Merced. These gentlemen told of the plans they have under way for advertising the convention to the different cities of the state. They promise that the attendance at Yosemite will surpass that of Long Beach. It is admitted that if they do that they will be "going some." Another enthusiastic city official in attendance at the conference was Mr. H. G. Denton, City Clerk of Sacramento, who reported for the Department of Clerks, Auditors and Assessors, and told of the efforts that were being made by Mr. L. P. Black, President of the Department, to prepare a program of exceptional excellence. Mr. Denton took occasion to say that Sacramento was out for the next convention and would "leave no stone unturned" to accomplish that purpose.

A letter was received from Mr. Gordon Whitnall of the City Planning Commission of Los Angeles pledging his efforts toward making the convention a success. Mr. Whitnall has consented to go on the program and call attention to certain important matters in relation to zoning problems which have come to the front since the last convention at Long Beach. It will be remembered that Mr. Whitnall recently attended the city planning conference in Florida. Mr. Hugh R. Pomeroy of the Los Angeles Regional Planning Commission will also participate on the program. The Yosemite Park & Curry Company have promised to take care of

the entertainment of the delegates. They will have paid entertainers at Camp Curry for the occasion, who will endeavor to make the evening hours enjoyable for the delegates and their friends.

LOS ANGELES CONFERENCE

On Friday, June 18th, a conference was held at the City Club in Los Angeles to discuss matters pertaining to the program for the coming convention and to supplement the meeting held in San Francisco on June 4th. The following persons were in attendance:

Gordon Whitnall, Los Angeles Planning Commission, Los Angeles, G. F. Hyatt, Bent Concrete Pipe Co., Los Angeles, Mrs. John J. Abramson, Pres. Los Angeles Planning Commission, Los Angeles, Hugh R. Pomeroy, Los Angeles County Regional Planning Commission, Los Angeles, A. E. Stockburger, City Manager, South Pasadena, J. C. Albers, City Engineer, Beverly Hills, S. H. Spofford, Trustee, Inglewood, J. G. Launer, Chairman Trustees, La Habra, Chas. G. Boster, Chairman Trustees, Huntington Beach, Frederick Baker, City Attorney, Sierra Madre, H. A. Postlethwaite, Assistant Secretary, League of California Municipalities, San Francisco, H. L. Moody, President, League of California Municipalities, San Diego, E. E. Moore, Councilman, Los Angeles, C. J. Colden, Councilman, Los Angeles, H. F. Scoville, City Manager, Monrovia, Lewis P. Black, City Clerk, Monrovia, Geo. H. Wood, Controller of Accounts, Pasadena, Roscoe R. Hess, Assistant City Attorney, Pasadena, R. D. Van Alstine, City Engineer, Long Beach, H. J. Laux, Secretary Santa Barbara Planning Commission, Santa Barbara, F. J. Webster, City Clerk, Burbank, James H. Mitchell, City Attorney, Burbank.

There was a discussion of the results of the San Francisco conference and of the subjects and speakers suggested for

the program. A considerable number of new suggestions were then made for additional topics for the program and the conference then gave its attention to the important task of selecting the speakers. The results of the selection of speakers will be announced in the next issue after the executive office of the League has had an opportunity to obtain the consent of the suggested speakers to appear on the program.

After consultation with the officials of the Yosemite Park & Curry Company it was determined that a complete tour of the Yosemite Valley could be made in

one afternoon. This tour will be arranged for with the officials of the company and will include all points of interest which can be seen without making long trips taking from one to three days.

Assurances were given that the new road into the Yosemite Valley from Merced will be open on August first. This road will be a thirty foot paved highway right into Camp Curry. The grade of the road is such that any ordinary automobile can make the trip from Merced into Camp Curry on high gear in from three to three and one-half hours. There is every promise of a great convention at Yosemite.

Tentative Outline of Subjects to be Presented on the Program of the Next Convention at Yosemite

The Building of the City of Enterprise.
Reports of the Committee on Model Zone Ordinance.
Common Sense in Zoning.
The Legality of Set-Back Lines.
How Regional Planning is Beneficial to the Cities.
Report of the Committee on Model Plumbing Ordinance.
New Legislation of Interest to Municipalities, including principal questions on the November Ballot.
The Prohibition or Regulation of Rolling Stores.
Report of the Committee on Model Building Ordinance.
The Latest Methods of Sewage Disposal.
Recent Court Decisions of Importance to Municipalities.
Progress on the Mokelumne River Water Supply for the East Bay Cities (illustrated).
The Telephone Rate Case.
Desirable Amendments to the Street Opening Acts.
Metropolitan Water Districts and Their Operation.
The Legal Aspect of Zoning.
Paving Experiences of the State Highway Commission.
Historical Sketch of the Rise of Municipal Government in the United States.
Traffic Control.
Metropolitan Sewage Disposal Methods.
Municipal Air Ports.
Budgeting Systems for Sixth Class Cities and Yearly Municipal Programs.
Foreclosure of Assessments under the Street Improvement Acts.
The Advancement of Maturities and Retirement of Bonds under the Bond Act of 1915.

The Regulation of Petitions for Improvement Work.

The Legality of Alternative Specifications under the Street Improvement Acts.

Successful Experiences in Municipal Auto Camps.

Suggested Amendments to the New Personal Property Tax Law.

The Best Policy of Allocation of Expense of Extensions to Municipally Owned Public Utilities, Pro and Con.

Methods of Handling Traffic During Street Improvement Construction.

1925 Improvement Act.

1915 Improvement Bond Act.

Filing of Street Proceedings.

Pension Systems and Rates.

Business Licenses.

The Annual Report to the State Controller.

Filing, Indexing and Codification of Ordinances.

Assessing at a Fair Cash Value.

Addressograph for Assessors and Tax Collectors.

Barbecue at Mirror Lake, Wednesday eve., Aug. 18, 6 p. m. Music, speaking and other numbers.

Tour of the Valley, Wednesday, 3 to 6. Automobiles and Lecturers. \$2.50 in company machines. No charge if in your own machine.

In addition to the above, a number of other topics are in contemplation but the subjects have not yet been definitely determined upon.

The program complete together with the names of the speakers will be published in the next issue.

Extent of Municipal Ownership in the United States

An important feature of *The Municipal Index* for 1926 is a list of the utilities and services owned by the municipalities of the United States having, according to the 1920 Census, 5,000 population or more. Of the 1,481 municipalities covered by the inquiry, official replies were received from 1,358, and for 33 others information was secured from other sources.

A list of the utilities and services covered by the inquiry and the number of the municipalities reporting affirmatively in each case follows:

1. Water-works, 1,015.
2. Electric light plant, 337. (Of these 74 purchase the current, but own the distribution system.)
3. Gas plant, 41.

4. Street railway, 24.
5. Motor-bus line, 22.
6. Ice plant, 16.
7. Central heating plant, 13.
8. Coal storage or fuel yard, 19.
9. Harbor and terminal facilities, 89.
10. Abattoir, 34.
11. Market building, 137.
12. Public laundry, 18.
13. Airplane landing field, 62.
14. Public comfort station, 417.
15. Municipal garages, 193.
16. Central asphalt paving plant, 76.

For the complete list of cities and the municipally-owned utilities and services reported by each, the reader is referred to *The Municipal Index* for 1926, pages 95-101.

Model Zoning Ordinance for Fifth and Sixth Class Cities

By BRUCE MASON
City Attorney, Long Beach

The movement for the preparation of a model zoning ordinance for fifth and sixth class cities emanated in the fall of 1925 from the City Attorneys' Division of the League of California Municipalities. The President of the division named a committee consisting entirely of attorneys of which I have the honor to be named chairman. None of the members of the committee hold themselves out to be experts in city planning, and the model ordinance, as now drafted, is not an attempt at scientific city planning. The committee believes, however, that it is a legal document and that it can withstand any assault in the courts. The planning features, as distinguished from the legal features, are drawn from the experiences of the various members of the committee as city attorneys.

CITY DIVIDED INTO DISTRICTS

The ordinance provides for the division of a city into five zones or districts, as follows: A single family dwelling district, an apartment district, a business district, a public and semi-public use district and an industrial district.

In the single family dwelling district no uses are permitted except single family dwellings, farms and truck gardens.

The apartment district is designed for all kinds of hotels and apartments. Uses for single family dwellings are also permitted in this district. In defining the uses the ordinance allows an apartment house, bungalow court where the width of the court is at least twelve feet, boarding house, lodging house, hotel, club or lodge, except a club the chief activity of which is a service customarily carried on as a business.

In the business district it is provided that residential and apartment uses may be allowed and in addition thereto retail businesses in general. However, due to the obnoxious nature of certain lines of business, they are specifically prohibited. Among such uses are assaying, blacksmithing, carpet cleaning, junk yards, railroad freight yards, and stone or monument works.

The public and semi-public use district is created to take care of schools, churches, public parks, recreational grounds, art galleries, museums, libraries and similar uses. In this district nothing is allowed except the public and semi-public use.

INDUSTRIAL AREAS

The industrial district is the general catchall district for those uses which are elsewhere prohibited. Even in this district, however, certain lines of business are prohibited such as bone boiling, copper smelting, tanning, fish canneries, slaughter houses, and the manufacture of gas, glue, kelp products, soap or tallow. Furthermore, the ordinance provides that the City Council may designate portions of the district in which residences shall not be allowed except single family dwellings for the watchman and his family. The purpose of this provision is to prohibit the creation of a slum district near the heavy industries.

For the purposes of light and air and also for the purpose of assisting in the fighting of conflagrations, it was deemed advisable to insert provisions respecting open spaces around the buildings located on interior lots. These provisions apply only to the single family dwelling and apartment district and are, in general, as

follows: Along each side lot line and for the full length of the lot there must be left open and unoccupied a side yard equal, in width, to ten per centum of the width of the lot not to exceed four feet and not to be less than three feet. Along the rear lot line and for the full width of the lot there must be left open and unobstructed a rear yard equal, in depth, to ten per centum of the depth of the lot but not to exceed ten feet and not to be less than five feet. If the lot abuts upon an alley the center line of the alley may be considered as the rear lot line for the purpose of measuring the depth of the rear yard. By this means it will readily be seen that there is created in the middle of every block an open space at least ten feet wide running through the entire block. Such a space allows the firemen ample room for their activities in fighting any fire.

IN RESIDENCE DISTRICTS

In the residence and apartment districts certain accessory uses are allowed in addition to the other uses provided in the ordinance. For example, a surgeon, physician, dentist, lawyer or other professional person may use his dwelling as an office. A hotel or apartment house may conduct a restaurant provided the main entrance thereto is from the lobby of the hotel or apartment house; and likewise retail and other specialty shops may be conducted in an apartment or hotel building provided the entrances to such shops are from within the hotel or apartment house. A private garage with a ground area not greater than eight hundred square feet may be located upon a lot in connection with its use as a residence or apartment or hotel; provided, that in case of an apartment house storage may be provided in such garage equal to the space necessary for one car for every apartment. It is also provided that accessory buildings shall be built in the

rear quarter of the lot. Furthermore, accessory buildings may be built in a rear yard or a side yard provided at least one side yard is kept entirely open and unobstructed and also provided that all portions of the accessory buildings are at least five feet distant from any other building on the same lot.

HEIGHT LIMIT OF BUILDINGS

Of somewhat doubtful value in relation to fifth and sixth class cities are the provisions of the model ordinance respecting the height limit of buildings. However, the committee felt that it would be wise to establish a height limit in the small cities so that as the town grew the citizens would be educated to such provisions and thereby many serious complications would be obviated. The height limit provisions of the ordinance are that any building may be erected to a height of one hundred eighty feet. This gives space for between thirteen and fifteen stories. If the owner desires to build higher he must set back one foot horizontally for every three feet in height above one hundred eighty feet; provided that he may, without setting back, increase the height of his building if the portion above one hundred eighty feet does not exceed twenty-five per centum of the area of the lot and is not wider than forty per centum of the street frontage of the lot.

In order to save existing businesses the ordinance allows non-conforming uses to continue provided they do not extend beyond the confines of the buildings or other structure which they occupy at the time of the adoption of the ordinance and provided that alterations and repairs during any ten-year period do not exceed fifty per centum of the reproduction cost of the building. Should any such non-conforming use be discontinued the property cannot again be used for a non-

(Continued on page 244)

THE CITY PLANNING CONFERENCE

Held under the auspices of the California Real Estate Association.

By FRED E. REED

Chairman City Plan Committee, 1925-1926; President California Real Estate Association, 1920-1921.

Realtors, property owners, city officials and city plan experts, representing nearly 75 cities of California, met at the Hotel Ambassador, Los Angeles, on Friday and Saturday, April 30 and May 1, last. It was the first all-state conference of realty men and planning experts in California's history.

It met with high purpose. And the uniformly high character of its addresses and deliberations was a subject of general comment. City officials and property owners—those who incur the bills, and those who pay them—teamed together in spirit of perfect cooperation; both being advised of great problems of city building by the best technical engineering counsel that could be made available for their benefit. And the realtors of California rejoiced in the service of bringing it all about.

Subjects like Organizing a City Plan to Get Results; How It's Best Done in Smaller Cities; A Model Zoning Ordinance; Parks, Parkways and Recreation; Building Setbacks and Heights of Buildings; The Principle of Architectural Control; Street Widenings, Who Should Pay the Bill; the Place of the Motor Bus in Metropolitan Transportation; Regional Plan for Population Centers; How Far the Business Areas in Business Centers Should be Limited; Should the Plan of Subdivision be Controlled by Law; What Are Proper Deed Restrictions and What Are Not; the Modern City's Need for Airports, Who Gets Federal Aid—these

were some of the subjects that 265 registered delegates, city officials, property owners and realtors were privileged to hear discussed by men who knew.

DELEGATES' VIEWPOINT

As three city commissioners of Oakland in attendance remarked as they returned home on the train Sunday night, "We learned more in those three days attending this City Planning Conference and viewing on the ground the city plan work of Los Angeles, than we could have learned in a year by remaining at home."

REALTORS' RESPONSIBILITY

The realtors of America have, up to the present, devoted the larger part of their efforts to the selling of property, giving all too little attention to proper producing of the goods they sell. The automobile manufacturer who did not precede selling with good production would be out of business in no time. The realtors of California see the higher privilege that is to come to them through planning ideal cities in California.

THE KEYNOTE

"Building Ideal Cities in California" was the keynote of the conference. And President Harry Culver crystallized it beautifully when he said, "Let there be less thought of compensation for selling, and more of creating value in the thing we sell; for thus will our clients benefit, and so shall we ourselves."

YOSEMITE NATIONAL PARK

Yosemite National Park is more than a region rich in strange and amazing scenic wonders. It is a great vacation land, where one can find every sort of recreation from a restful camp under great trees, with every accommodation of a modern hotel, to the most rugged of mountaineering. Californians have for years recognized in Yosemite National Park a great all-year playland. Tens of thousands of Californians gather each year in Yosemite to play, in summer to hike, ride, fish, camp and swim, in the winter to enjoy snow sports such as tobogganing, skiing, skating, sleighing.

Yet Yosemite is never crowded. This may seem odd to the stranger to California who has not had it called to his attention that the area of Yosemite National Park is almost that of the entire state of Rhode Island. In the high country, surrounding Yosemite Valley, there is ample room for thousands. Ten minutes' walk from Camp Curry or Yosemite Lodge will bring one to real seclusion. On many of the trails in the high country one can hike or ride all day without seeing more than a score of people. These trails wind in every direction from Yosemite Valley. There are corners of the Park that are practically unexplored, still awaiting the venture-some.

From Yosemite Valley trips may be made by horseback with competent guides and horses trained for trail riding. Another center for horseback trips is Tuolumne Meadows Lodge, the hub from which radiate a dozen or more trips. Surrounding Tuolumne Meadows are a score of high Sierra peaks, ranging from 12,000 to 13,000 feet in altitude, each with glacial lakes or streams at its base, and many with living glaciers the year

around on their shaded slopes. In the lakes and streams of Yosemite, a million baby trout are planted each year, to tempt the visitor of the following season.

To make travel in the High Sierra easy and comfortable, the Yosemite Park and Curry Company maintains a chain of High Sierra Camps, forming a circle back from Yosemite Valley. It is an easy day's trip by foot or horseback from one of these camps to the next. They offer the visitor at low rates simple but comfortable lodging overnight in tents and plain but ample meals. These camps are at Little Yosemite Valley, Merced Lake, Booth Lake, more than 10,000 feet above sea level, Tuolumne Meadows Lodge, on the Tioga Pass motor stage line, and Lake Tenaya, near the famous Waterwheel Falls of the Tuolumne River. Each of these camps is the center for numerous fishing and scenic side trips.

To visitors who wish to enjoy the real Yosemite, it is suggested that one to three weeks can produce more recreation if spent in the Yosemite High Country than almost anywhere else on the face of the globe—a large statement, but literally true, as can be shown by the remarks of those who have spent vacations in the Yosemite High Sierra.

Via Yosemite Transportation System During Operating Season

Yosemite Valley to Hetch Hetchy and return.....	\$10.00
Yosemite Valley to Mariposa Grove of Big Trees and return, via Artist and Inspiration Points and Wawona.....	10.00
Yosemite Valley to Mariposa Grove of Big Trees, Glacier Point and return, via Artist and Inspiration Points.....	13.50
Tour of Floor of Yosemite Valley—20 mile motor car ride to main points of interest, accompanied by lecturing escort..	2.50
Sunrise Trip to Mirror Lake from Yosemite Valley resorts, and return.....	.50
"See the Bears" Trip, from Yosemite Valley resorts, and return.....	.50

Legal Aspects of Building Heights and Setbacks

By LUCIUS P. GREEN

Assistant City Attorney, Los Angeles

Before the City Planning Conference at Los Angeles, April 30, 1926.

I think the subject of setbacks would not be complete if I did not say something about the legal aspects of setback lines. We speak of setbacks as we speak of zonings, since they are related subjects.

Mr. Bruce Mason spoke of the proposed zoning ordinance of Long Beach. He made the remark that no provision was made in the ordinance as to matters relating to setback lines, the legality of setbacks being a mooted question. Judicially speaking, it is a mooted question.

Do you know that, judicially speaking—and when I use that term I mean expressed in terms of court decisions—the right to create setbacks, the right to express that power as a phase of the police power, has never received the sanction of the courts? In fact, it has repeatedly received the denial of the courts.

There are now two outstanding cases. One of them is an old case which antedates our present era of development and progress—the case of *St. Louis versus Hill* (116 Mo. 527) which was decided in 1893, and which had to do with the so-called Boulevard Law of the State of Missouri, wherein it was provided that cities might create setback lines. That case, brought before the court, received this interpretation: that it was an unwarranted interference with the freedom of the use of property, constituted a taking of property, and therefore could not be exercised without compensation.

A more recent case, decided in 1913, in Colorado, entitled, *Willison versus Cooke* (54 Colo. 320), followed out the same thought.

Notwithstanding these very definite

denials of the right to create setback lines under the police power, we find cities today creating setback lines under the police power, and, paradoxically speaking, are acting counter to the court decisions. This is a situation to be given thought.

IN LOS ANGELES

I will say to you that in creating zones and adopting a comprehensive zoning ordinance by the City of Los Angeles for the first time we acted in the same manner. Even though courts in the past had denied the right to do so we proceeded with confidence, passed an ordinance comprehensively zoning the city, under the supervision of Gordon Whittall, and when the attack was made we were there to meet it, and we received from the Supreme Court of the State of California a decision affirming the constitutionality of the comprehensive zoning ordinance, which is a classic; it is one of the most humane decisions that any supreme court, I might state, any court, has ever rendered. It was a decision that got away from the old idea of judicial precedent. Looking at the situation in a progressive sense, it expressed a fine and sympathetic regard for human relations and the necessity of preserving those human relations in the proper zoning and segregating of commercial and residential uses.

THE POLICE POWER

While cities today are adopting ordinances creating setback lines, I say that they are doing so for the same reasons that indicated the necessity of adopting comprehensive zoning laws; they are do-

ing so because the police power is nothing more than the responsiveness of government to progress.

Times and conditions change. And I say to you that conditions have changed; they have changed in such a way that setbacks, I am confidently assured, are justified under the police power, and police power, if you please, does not comprehend compensation in the sense of a taking of property. The police power is not exercised in that way. It is not eminent domain. It does not take property, and therefore gives nothing in the way of compensation. Police power is a regulation of the use and that is what the zoning power is. The setback is a related power to the zoning power. It is sustained under the police power as a regulation; in other words, it progresses upon the theory that if the public necessity is great enough, the municipal authorities may step in and impose regulations upon property and upon the use of property, in order to bring about those things which justify the exercise of police power, namely, general welfare, sanitation and safety.

If my house is built back 15 to 20 feet from the front property line, and if all other buildings in the block are built back the same distance, you can well see, and it takes no argument for me to tell you, that my general condition of living, my home, the opportunity for light and air that I enjoy, is better, and that I should be protected in these things. It is not right that my neighbor should construct a building right up to the front line; that my neighbor on one side of me, and my neighbor on the other side, in a similar way, should be permitted to build to the front line. My view up and down the street is cut off and my dwelling boxed in, as it were. I am put in such a situation that I have no other alternative than to move out of that neighborhood, and that situation may continue indefinitely.

The City of Los Angeles has gone ahead and exercised this power. In the past four years we have enacted more than 660 setback lines that have involved thousands of pieces of property.

When I speak of setback lines, I do not confine such lines to one lot or one block; frequently it extends to many blocks along one street. The public approval of this action may be indicated by this statement: that in four years we have had but one case attacking ordinances of this character. That case was filed about three years ago and is now upon appeal to the Appellate Court of this State.

PUBLIC'S APPROVAL

Taking the past two years during which there has been the greatest activity in the enactment of setback legislation, we have not had one case. That will indicate to you, at least, the public approval of the action of the municipal authorities in thus creating setback lines, and the fact that such legislation has been based upon the police power without compensation has met with no public objection. This indicates the public demand for such legislation, and as was stated, in effect, by one of the Justices of the Appellate Court, in a recent case, the demand for a particular regulation imposed in the exercise of the police power indicates the necessity for it.

The need for the regulation under the police power is first indicated in the demand, and the action of the municipal authorities is merely responsive to such demand, and when I tell you that legislation of that character though apparently in conflict with judicial authority, has maintained in this state for more than three years, that should establish the demand.

When the case is ultimately determined by the Supreme Court of this state, I confidently expect to see the same kind

(Continued on page 239)

WHAT OUR CITIES ARE DOING

Calexico has commenced reconstruction of filtration plant for municipal water supply. We are installing the rapid sand type of filter washed by back flow, water to be treated with alum. The capacity of this unit will be one million gallons. The cost is estimated at \$10,-500.00 and it is being financed from revenues of the Municipal Water Department. The work is being done by the water department, no part of it being contracted.

Very truly,
RICHARD S. EMERSON,
City Clerk.

Long Beach has two major propositions that they are working on at the present time aside from several minor ones. On July 16th there will be an election for \$900,000 to remove the Union Pacific tracks from Ocean Avenue, also, to elect a board of fifteen freeholders for the purpose of drafting a new charter.

We have several large lighting jobs on the way, the principal one among them being that of American Avenue from Ocean Avenue to Anaheim Street, using a combined light and trolley pole which will eliminate the pole from the center of the street and place it on the side. Also, ornamental lights on Broadway from Alamitos Avenue east, same to be a continuation of the lighting system on Broadway from Alamitos Avenue west to Golden Avenue. Another very important lighting job is that of Atlantic Avenue from Ocean Avenue to Hill Street, approximately two miles in length, the contract for which has just been let.

Bids were received yesterday for a sanitary sewer for approximately \$250,000 to be paid by an assessment district.

Yours truly,
H. C. WAUGHOP,
City Clerk.

Monterey. The new municipal wharf, authorized by a bond issue of \$302,000 in December of last year, is now in process of construction. With the completion of this wharf we anticipate an increase in our wharf business of approximately 100% during the next fiscal year. The revenue from the old wharf for the past eleven months is \$28,398.55.

The City is also completing the purchase of a twenty-seven acre park which we intend to develop over a period of five years, paying one-fifth of the cost of development each year.

We are purchasing new fire equipment this year to the amount of \$20,000.

One of the largest street improvement programs ever undertaken in this city is now under way.

Yours very truly,
R. M. DORTON,
City Manager.

Oceanside. The last two or three years have seen a steady growth of this community both in population and in substantial improvements. During the fiscal years 1924 and 1925 there were built in the City of Oceanside nearly 200 houses and other structures, including a theater and a new wing to the High School, at a cost of something over \$450,000.

During the same time the City expended nearly \$100,000 for extension of its water distributing system, paved Pacific Avenue along the water front for about three-quarters of a mile and improved other streets by the construction of curb and sidewalks.

At the present time three of the City's streets are being improved, bids have been called for for the construction of a new sewer system, the cost of which will total \$175,000 by the engineer's estimate, in June we shall have a bond election to let

the people vote for a \$100,000 pleasure pier, the construction of which is practically assured since the people seem to be unanimously in favor of such a pier.

At the City water works we have just brought in a new well which promises to prove the best water well in San Diego County. The well has been supplied with a fifty horsepower deep well turbine pump which delivers 2,500 gallons of water per minute, which is far short of the capacity of the well. The City engineer has prepared plans for a new three million gallon water reservoir to be

constructed in the near future, which should take care of our needs for some time to come.

There are now under consideration various improvements along the beach, to be made with private capital or under the 1915 improvement Act, which will bring up our beach on par with the best along the coast. All of the work and improvements mentioned above are expected to be completed within a year, perhaps within this present year.

J. H. LANDES,
City Clerk.

Sacramento Creates Honor Roll and Memorial Gift Commission

Sacramento has been the recipient of many generous gifts. In order to perpetuate this spirit of loyalty and patriotism on the part of her citizens, the City Council has created an Honor Roll and Memorial Gift Commission, consisting of nine members whose duties will be the collection of full and complete information of all public gifts, donations, legacies and bequests of whatever nature, from the City's earliest history to date, and arrange for the appropriate memorialization of the names of the donors and their gifts.

It will also be the duty of this Commission to initiate an educational campaign to encourage the emulation of the spirit of those who have already thus honored their city and themselves by public gifts; acquaint prospective donors with the needs of the city along various lines in

the way of Parks, Playgrounds, Schools, Museum, Art, Charitable Service, Libraries, Public Buildings, etc. It is anticipated the Commission can also secure the means by which features in City Planning and other projects will be made possible.

The Ordinance creating this Commission, which was introduced by Mayor A. E. Goddard, defines the duties of the Commissioners in detail, term of office, meetings and organizational provisions; they are to serve the city in this capacity without pay.

All acts of the Commission are subject to the approval of the City Council and under the supervision of the City Manager. All new gifts are acceptable subject to final approval and acceptance of the City Council.

ADVERTISEMENT FOR CITY MANAGER SANTA BARBARA

Notice is hereby given that the undersigned will receive applications for the position of City Manager for the City of Santa Barbara, addressed to the City Council, up to 12 o'clock noon on the 26th day of July, 1926.

S. B. TAGGART, City Clerk.

MUNICIPAL REGULATION OF FORTUNE TELLING

Extract from a paper

By LORNA L. LEWIS, of the University of Wisconsin.

The Municipal Information Bureau has recently received requests for information concerning the practice of various cities in dealing with fortune tellers. This report has been prepared in response to these requests. It has been written by Miss Lorna L. Lewis, Assistant and Librarian of the Municipal Information Bureau, from information on file in the Bureau. While no attempt has been made to treat the subject exhaustively, it does contain the information necessary to answer the specific requests received and gives a general idea of the methods followed by cities in dealing with the problem.

While cities for years have licensed fortune tellers, clairvoyants, palmists, and people in similar occupations, it is only within recent years that drastic measures have been adopted to discourage or prohibit their activities. Such regulations have been stimulated by the experience of cities in connection with street carnivals, as a result of the disclosures of social and welfare workers, and in response to the demands of commercial and trade organizations which see hundreds of dollars taken out of the city for such nefarious purposes.

The Bureau will welcome information concerning the regulations in force in other cities not included in this report.

MUNICIPAL INFORMATION BUREAU,
Ford H. MacGregor, Chief.

Fortune telling is apt to be viewed lightly and as something merely for amusement. People do not always realize the serious problem involved and the disastrous consequences which sometimes follow, particularly in the cases of children and young people.

A few years ago a boy, still in his teens, went to New York City to find work. He became employed as a draughtsman's apprentice in a downtown architect's office and for two weeks gave excellent service. Ambitious as he was, he became anxious to know what the future had in store for him, and found his way to the home of a fortune teller.

This man declared that by reading the stars he could foresee a dreadful disaster in store for the youth. There was only one way in which it could be averted—by paying the sum of fifty dollars to the magician. When the boy answered that he did not have that amount of money, the fortune teller kindly agreed to receive payments in installments of four dollars a week. To meet these payments, the boy began to deny himself the necessities of life. He became weak, his work suffered, and he was discharged. One day, in an attempt at suicide, he jumped into the Hudson River from West Third

Street pier. He was rescued and sent to a hospital where he was adjudged insane. He has had to spend many of the best years of his life in recovering his sanity.

This case, of course, represents the extreme to which the evil of fortune telling seldom is carried. For the most part, the clairvoyants are content to swindle. If they received merely a few dollars a week their practice in most cases would be harmless enough. It is only when we realize the large amount of money spent each week for fortune telling—money which should be spent to better advantage and given to people trying to earn an honest living—that the problem is wholly realized.

Elwood, Indiana, a few years ago estimated that \$1,000 was carried away from that city every month by traveling fortune tellers. La Crosse, Wisconsin, found women telling fortunes at prices ranging from \$1.00 to \$6.00. The sudden realization of similar situations has led to some regulation of the problem by many cities as well as states.

In general, cities have followed two practices in their regulation. One, by prohibiting fortune telling; the other, by licensing it. In some cities the practice is prohibited absolutely; sometimes the

same result is obtained by placing an almost prohibitive license fee upon the clairvoyants. In many cases, fortune tellers are declared to be vagrants by state statute, as is the case in both Minnesota and Wisconsin.

Where licenses are granted, the purpose is to discourage, although not to prohibit it entirely. Often the fees are found useful as a means of swelling the city income and reducing taxes. Various requirements are made before the license is granted. Many cities require the applicants to have the permission of the mayor, police chief, or some other official. Minneapolis requires them to be residents of the city for not less than six months. Others require the filing of bonds before the license is granted.

Kansas City has one of the most stringent ordinances regulating the licensing of fortune tellers. The applicant must be endorsed as a person of good moral character by three responsible and reputable citizens. Before the license is granted, the applicant must also file with the city comptroller a bond for \$1,000 running to the city, with two or more good and sufficient sureties, approved by the comptroller, conditioned that the licensee will fully comply with all the provisions, and will pay all judgments rendered against him, either for violation of the ordinances or by any person for damages arising out of any deception or fraud practiced upon that person. The license fee is \$100 per year, and for any violation of the ordinance the licensee shall pay a fine of not less than \$100 or more than \$500.

FORTUNE TELLING ORDINANCES **Madison, 1917**

Fortune Tellers, Mind Readers, Palmists, Clairvoyants and Mesmerists to Pay License. Section 31. Every person who practices fortune telling, mind reading, palmistry, clairvoyancy or mes-

merism, for money, shall pay a license fee of five dollars per day for each day so engaged. This section shall not apply to persons giving exhibitions at entertainments.

Minneapolis, 1872-1905

Fortune tellers, astrologers, and all persons practicing palmistry, clairvoyancy, mesmerism, and all persons giving exhibitions or practicing or using any device for the purpose of telling fortunes, or spiritualistic readings, or sittings, or exhibitions of such a character, fifty dollars; and no person shall be granted a license for any of such purposes unless he or she shall have been a resident of the City of Minneapolis for six (6) months preceding the issuance of such license, and unless such person so applying shall, before the issuance of such license, make and execute a bond for the sum of two hundred dollars (\$200.00) with sureties to be approved by the City Comptroller, conditioned for the faithful observance and keeping of all the ordinances of the City of Minneapolis. (As amended July 1, 1889, 15 C. P. 320.)

Kansas City, 1909

Sec. 147. Fortune Tellers and Clairvoyants — License — Application For — Definition — Bond — Conditions — Right of Action Against — License Fee — Penalty. Every person who shall exercise within the City of Kansas City, Missouri, the business, profession or avocation of a Fortune Teller or Clairvoyant, shall procure a license from the city as hereinafter provided.

A Fortune Teller is one who, for a consideration tells or pretends to tell, by any means or method whatsoever, the events of one's life, or who has, or pretends to have a knowledge of the future.

A Clairvoyant is one who has, or pretends to have, the ability, gift or faculty of seeing or discerning objects not present

Organized Hold Ups and Police Pensions

From the Municipal League Bulletin, Los Angeles, May 31, 1926.

Considering the long settled policy of the "business interests" of this city to oppose the duress occasionally exercised by organized labor to gain an increase in wages and the persistent effort that these "interests" have made for years to keep this an "open shop" town, the impartial observer may well be puzzled to explain how it has happened that the several successful campaigns of the Los Angeles Policemen and Firemen to get a 75% raise in wages as well as a fat pension have at all times had the ready endorsement of our stern old business organizations and their local press. And this has not been all that this particular group of organized employees has achieved. They got their wage scale fixed upon this community, not by ordinance, but by plebiscite, to modify which would require other plebiscites of like character.

On its face it is indeed a puzzle.

"THEY PUT ONE OVER"

On analysis, however, the impartial observer can reach no other conclusion than that the leaders of the "labor organizations" of our Policemen and Firemen (irrespective of the quality of service these employees render the community) have demonstrated much cleverness. Like "the tale of the (labor) council the German Kaiser held" they can tell of "the day they razored the Grindstone, the day that the Cat was belled."

It looks very much as though these publicly uniformed labor leaders had "put something over" the great and strong business men of this town, especially when every day a number of the business men are waylaid, robbed, shot down or what not by the bandits and the like for whom the police officers are supposed to be on the lookout. The "tale" seems to run this way:

FIREMEN SURRENDER LABOR CHARTER

Back in 1919 the Firemen were members of the American Federation of Labor and the Police, being at a loss how to get a "raise" were for the most part ready to join the Federation.

Suddenly the Firemen withdrew from the Federation of Labor. The Police ceased their agitation to unionize. And forthwith the good old proponents of the "open shop," the Merchants and Manufacturers Association, are found, with the

Los Angeles Chamber of Commerce, in support of a 20% to 30% increase in wages for Police and Firemen.

That accomplished, we next find these conservative business organizations lending their endorsement to a charter amendment by which the Police and Firemen are to have a pension (to which they contribute nothing), that allows middle-aged able-bodied men to retire after 20 years' service on half pay for the rest of their lives—a proposition opposed to every principle of sound business experience.

THE M. & M. AND THE CHAMBER BACK FURTHER INCREASES

That accomplished, the next year these inveterate opponents of the demands of organized labor are found backing the Police and Firemen for another wage advance of some 15%. Up to this date, January, 1923, it is interesting to observe that no systematic advance had been made in the wages and salaries of the thousands of other employees in the city service.

Now we come to the recent (April 30) advance in the wage of the Police and Firemen carried through by the initiative and referendum. Here as before we have the Merchants and Manufacturers and the Chamber of Commerce endorsing the demand for an increased wage even though necessitating the levy of that unfair (because double) tax, most detested by business men, known as the occupational tax.

CAPTAINS OF INDUSTRY "BUFFALOED"

'Tis a striking example of the efficiency of the "labor organization" maintained by the Police and Firemen! What next will the mighty proponents of the "open shop" be forced to stomach at the hands of "uniformed labor?" How does it happen that a group of policemen, apparently a bunch of just average workmen—certainly not conspicuously efficient in the service they render—can "buffalo" the "big men" of this City, many of whom are really wealthy men and all of whom are really "touchy" about being "held up" by organized labor?

Furthermore these Knights of the Hold Up have tact. There is very little grumbling on the part of their employers—perhaps not more than is openly mentioned about the "hold ups" of the bandits.

When account is taken of both the pension and the monthly wage paid, no other city in this country pays its Police and Firemen so much. Yet in no other city in America have the Police and Firemen such a congenial climate to

work in. Nor is Los Angeles, like other cities of like size, infested with large foreign quarters and tenements. This is an American community, a city of single family homes.

WHAT EXPLANATION?

What explanation is there for the Police and Firemen's victory over our big business organizations, when other city employees have failed and Federated Labor here has not succeeded as elsewhere? It looks mightily as if the Police and Firemen had capitalized not only their vote-influencing powers but had driven a shrewd bargain when withdrawing from further connection with the American Federation of Labor.

What will the Police and Firemen next demand? How much longer can they hold their sway? How long before the big business organizations will back the Municipal League in the demand it has sponsored for years, that the Police and Firemen's pension should be put on a strictly business basis. How long will the pension and salary claims of the other city employees be ignored?



How Automobile License Fees and Taxes Are Distributed

According to a tabulation prepared by *American Highways*, the gross receipts from automobile license fees in the 48 states during the year 1925 were \$260,328,414. The distribution of these fees in dollars and percentage was as follows:

For state roads and bonds—\$196,576,214—75.5 per cent.

For local roads—\$48,396,471—18.6 per cent.

Collection and administration—\$11,955,927—4.6 per cent.

Other purposes—\$3,399,802—1.3 per cent.

Gasoline taxes during the year 1925 brought total receipts of \$145,933,990, distributed as follows:

State roads—\$99,481,284—68.2 per cent.

Local roads—\$37,039,923—25.4 per cent.

Collection and administration—\$210,623—0.1 per cent.

Other purposes—\$9,203,060—6.3 per cent.

On April 1, 1926, gasoline taxes were in effect in 44 out of 48 states, the tax ranging from 1 cent to 5 cents per gallon. In four states the rate is 1 cent per gallon; in nineteen states 2 cents; in one state 2½ cents; in ten states 3 cents; in three states 3½ cents; in four states 4 cents; in one state 4½ cents; and in two states 5 cents per gallon. The four states having no gasoline tax are Illinois, Massachusetts, New Jersey and New York.

Procedure for Handling Discourtesy Complaints

A Statement Recently Issued by the Department of Public Service of the City of Chicago.

In accord with the policy of Mayor Dever to give the people of Chicago a clean, businesslike administration of public affairs, the following method of procedure to bring about more cordial relations between municipal employees and citizens has been prepared.

The city of Chicago is identical with any other corporation organized for public service, except that the voting power for the selection of the executive head and legislative branch is based on citizenship instead of financial interest. Private enterprise has long appreciated good-will as an asset, and during the last decade there has been a consistent improvement in the methods pursued in handling the public. There is no logical reason why the men and women in public service should not be as courteous as those engaged by private enterprise, in fact, more so, as the basis of progress embracing increased compensation and better working conditions is usually a result of public sentiment, which, in turn, is shaped by the quality of service rendered and the impression created.

The value of this function of the municipal government, serving as a recognized agency for presenting the citizens' viewpoint, is not confined to, or limited by, the cases actually handled. The fact that such a vehicle exists will undoubtedly have the desired effect, and constructive criticism will be beneficial to all concerned.

SCOPE OF ACTIVITY

This plan is not intended to interfere with or relieve department and bureau heads of the responsibility for the conduct and performance of employees under their

supervision, and while a complaint-receiving agency has been established for the convenience of the public, the burden of courteous businesslike management of the various departments remains with the department head. When it is necessary for a citizen to make a justifiable complaint to the Department of Public Service, it is an indication of neglect of duty involving the supervisory force as well as the employee in question. In large cities the average citizen is dependent on public servants for information and guidance, and while each position has specific duties, there is one common obligation—prompt, courteous service.

HANDLING COMPLAINTS

1. The Department of Public Service, Bureau of Public Relations, will be the complaint-receiving agency (Room 613, City Hall), either by mail or in person.

2. The Bureau of Public Relations will take all details of the complaint on four copies and send three to the department head affected.

3. The department head will take such action as is necessary and render a report on two copies to the Department of Public Service within ten days, retaining one copy for departmental file.

4. The Department of Public Service will retain one copy for file and send one copy to the Civil Service Commission to be filed with employee's record.

5. The Department of Public Service will maintain a complete record of all complaints and render a summarized annual report to the Mayor December 1, and be prepared to give any other information the occasion demands.—*The American City*, June, 1926.

The Telephone Rate Case of New York

On March 10th, 1926, the Federal Court denied the request of the New York Telephone Company for an increase of 35% on its rates in New York City and 18% on rates throughout the rest of the state. The appeal of the Telephone Company for a raise in rates was criticized by the judges who made it clear that the rates fixed by the Public Service Commission would not stand unless they were based on the principles theretofore announced by the court in its decision of last year allowing a temporary 10% increase.

The decision was hailed as a great victory by the city officials of New York, while on the other hand the company has also expressed satisfaction because it will be likely to speed up the decision of the Public Service Commission before whom an extended hearing was completed last February. It would appear, therefore, that the city has only gained a temporary victory, and that the ultimate decision is likely to favor the company.

The Federal Court in its ruling held that reproduction cost less depreciation is the dominant factor in rate fixing, but it is doubtful if the United States Supreme Court will support this principle in case of appeal.

The commission also excluded any going-concern value, which, in the opinion of the court, is an error.

According to the "American City" this controversy over telephone rates in the State of New York furnishes a typical example of the futility of our present methods of rate regulation. It appears that the Public Service Commission started an investigation of the rates away back in December, 1913, and that early in January of the following year ordered a horizontal reduction of 10%. A com-

mittee appointed by the state legislature made a report in 1915 recommending a further decrease of rates and the Public Service Commission adopted the recommendation.

From August, 1918, to August, 1919, the post war period, the properties were in the control of the federal government. After the Telephone Company again took possession the rate controversy was started anew and the Public Service Commission instituted an investigation the latter part of 1919, as a result of which a compromise was effected between the commission and the company agreeing upon a reduction of 8% in rates for local exchange service. However, this was effectual for only one year upon the expiration of which the company petitioned the commission for an increase in rates which would bring additional revenues to the extent of \$11,000,000.00. Hearings were begun in October, 1920, and continued for a period of two years. There was a mass of testimony and exhibits.

On March 17th, 1921, upon petition of the company the 8% reduction made in 1919 was eliminated and a sur-charge of 20% was added. This brought a violent protest from the subscribers and was followed by an application from the City of New York for a reduction with the result that on June 16th, 1921, the sur-charge was reduced from 20% to 10%.

On continued complaints from the public the commission on March 3rd, 1922, again ordered a further reduction in the sur-charge from 10% to 5%. From this last order the Telephone Company appealed to the Federal Court and obtained a temporary injunction which lasted to January 25th, 1923, when the Public Service Commission granted an

increase of about 5% effective March 1st, 1923.

The last increase of the commission was not based upon any particular formula or principle, and therefore did not constitute a final settlement of the case. As a result, on January 31st, 1924, the Telephone Company again petitioned for an immediate temporary increase, introducing testimony to show that its income was \$7,500,000.00 short of a fair return.

While the hearings were pending before the Public Service Commission, the company again applied to the Federal Court where they obtained a temporary increase of 10%. The hearings before the commission were closed on May 23rd, 1924, and on July 17th following, the commission denied the petition of the company. However, nine days thereafter the company appealed to the State Court which made an order that the 10% increase should stand, pending the hearing of the case before a special master.

The Telephone Company again appealed to the court on December 18th, 1925, for a further temporary increase of 25%, but this time their request was denied.

These various applications and the apparent seesawing of rates has convinced the "American City" of the apparent futility of rate regulation. Commenting

on the matter it says: "Here we have the spectacle of an exceedingly important utility whose properties are valued on an arbitrary basis; whose rates are changed up or down at frequent intervals, according as one or the other of the parties becomes insistent; the same points at issue are raised again and again; and, finally, the case is up for consideration simultaneously before the Commission and the Court, and there is no prospect of anything permanent being decided by either body.

"Is it not manifest that our present method of regulation is utterly futile? Much too large a percentage of whatever amount may be saved the public under such rate control is consumed in continuous cost of litigation.

"This case has been thus presented, not with the intent to cast any reflection upon the financial public policy of an outstandingly efficient utility company, but merely as an illustration of the chaotic condition of regulation.

"If regulation is to be a reality, the rate base and the rate of return will have to rest upon a firm principle, not upon an illusive and elusive formula of 'fair return upon fair value.' Either regulation will have to be abandoned altogether or its fundamental basis will have to be clarified and its methods rendered workable."

THE NEXT CONVENTION

of the

League of California Municipalities

will be held at Camp Curry, Yosemite

August 16th to 20th, inclusive

EDUCATIONAL

ENTERTAINING

Your increased efficiency as a public servant demands your presence

Union **D** Grade Asphalt



California State Highway between Davis and Winters, laid with 5" Union Grade "D" Asphaltic concrete in 1920 by A. Tuchert & Son, contractors. No maintenance to date, and the surface is still in first class condition.

Prominent city and highway engineers say that there are seven practical reasons why asphalt pavements are superior to other kinds. *Union "D" Grade Asphalt*, chosen by many, offers these advantages which are exclusive to this type of pavement:

1. Economically laid; economically maintained.
2. Smooth Surface—No Joints—Low Tractive Resistance.
3. Contraction and Expansion Absorbed Within Itself—No Surface "Buckling."
4. Absorbs Impact of Fast or Heavy Traffic.
5. Waterproof; Noiseless, Dustless, Easily Cleaned.
6. Most Practical for Resurfacing—More Economical; Quicker; Lasts Longer.
7. Easily and Quickly Replaced—No Traffic Delays—(when cut into for repairs to conduits, cables, etc.)

Specify *Union "D" Grade Asphalt* for the next job.

Union Oil Company
of California

Asphalt Pavements *are* Correct in Principle.

Treasury Department

Bureau of the Public Health Service
Washington

PUBLIC HEALTH ENGINEERING ABSTRACTS

Health Ordinances Pertaining to Milk. F. D. Holford. International Association of Dairy and Milk Inspectors Fourteenth Annual Report, October 12, 14, 1925. pp. 45-50.

The classification of food products into definite grades by municipal ordinances which are standard throughout a given community is suggested. The nearest approach to a uniform standard grade is found for certified milk, due to many municipalities accepting the rules and regulations of the American Association of Medical Milk Commissions.

The prevention of fraud and the sanitary control of milk supplies are logical responsibilities of health authorities. The interest of the producer, distributor, health official and consumer do not differ in many things. If one loses confidence in the other all suffer the consequences. Their relationship is sometimes strained and complicated by too much evasion, too much law and too little honest effort to work together.

The author recommends that uniform requirements for municipalities would be more economical, would encourage small municipalities that have no control to adopt such methods, would create better understanding between States and municipalities and between health officials and individual dairymen and would be of great assistance to producers and dealers in dispensing their produce.—W. W. White.

The Health Department and the Milk Dealer. William B. Palmer. International Association of Dairy and Milk Inspectors Fourteenth Annual Report, 1925. pp. 187-192.

The writer states that control of the milk supply is an interstate, intrastate, intercity and local problem when the milk shed covers a wide territory and is distributed in several cities by a large number of dealers. Field supervision of production and laboratory control is often maintained by milk dealers. The writer states that health departments can assist the dealers in perfecting the scientific side of their business with the ultimate benefit to both the dealer and the public. A successful consolidation of milk control work of the boards of health of five cities having a combined population of 140,000, is cited. Funds for laboratory, office and staff are provided by assessments included in each board of health budget. There was no duplication of work or expense under the plan and the advantage of unification of regulations and control has been demonstrated. The writer is of the opinion that boards of health can do much to simplify present chaotic conditions in the milk business by adopting standard ordinances which have the approval of official organizations.

A successful consolidation of small milk dealers in the Oranges, N. J., is cited. A pasteurization and bottling plant selling 6,000 quarts of milk a day is being operated. It has caused the elimination of small inefficient, inadequately equipped bottling plants and has simplified the enforcement of pasteurization of milk. Due to the suggestion of the health department, a short course in dairy bacteriology was instituted at the State Agricultural College, thus making available a short course in dairy sanitation.

The writer draws general conclusions pertaining to the advantages of unified milk regulations and control and consolidated efforts of small dealers in establishing properly equipped milk plants.—Russell S. Smith.

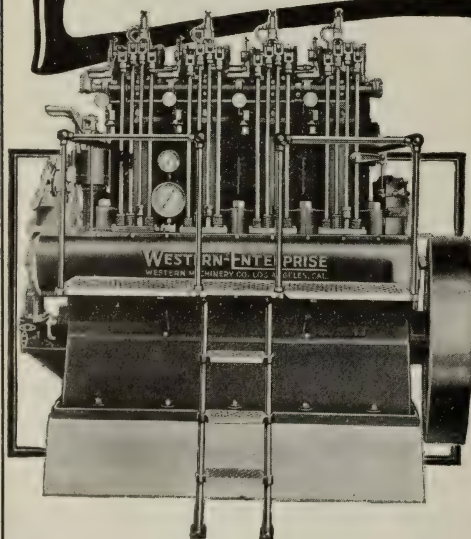
Some Heat Resisting Streptococci Found in Market Milk. H. O. Way. International Association of Dairy and Milk Inspectors Fourteenth Annual Report, October 12, 14, 1925. pp. 179-183.

Analysis of bottled pasteurized milk from three pasteurizing plants showed the presence of 100,000 to 400,000 bacteria by plate count. Microscopic examination showed large number of streptococci occurring usually in pairs and sometimes in chains of four or six. In the raw milk chains of 6, 8 or 10, and sometimes 14 or 16 cocci occurred. Agar plates showed a predominance of very small "pin point" colonies of two types. One is slightly filiform or elongated; the other nearly round with a very slight halo. After heating a sample of raw milk counting about 80,000 of these colonies to 142-145 deg. F. for 72 hours, the count was found to be practically unchanged. These organisms have withstood 162 deg. F. for one hour. Vat samples ran as high as 200,000 to 300,000 colonies after pasteurization.

From plant control samples and a study of methods it was concluded that increase in colonies was due not to growth, but to a breaking up of chains from heat of pasteurization and pump agitation.

Examination of shippers whose raw milk contained large numbers of these organisms showed as the probable cause udder or teat infection other than garget in 20% of the cases, and teat cups and rubber tube connections of milking machines in the other 80%. Search for the source of organisms showed cow urine free except when

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contaminated with feces, and that cowfeces contained a large number of these organisms.

The presence of large numbers of these organisms in a pasteurized milk supply suggests an insanitary condition either in the herd or in the milk handling equipment. Teats may be infected either in the milk canal or on the outside.—Malcolm Lewis.

A Family of Typhoid Carriers. Anna Dean Dulaney. American Journal of Public Health, Vol. 15, No. 10, October, 1925. pp. 885-886.

Twenty-two cases of typhoid in Columbia, Missouri, were traced to a typhoid carrier family. The father had typhoid twenty-six years ago, the mother sixteen years ago and the daughter-in-law ten months ago (shortly after marriage). Eight years ago the father, a chronic relapsing carrier, was required to close his dairy following a typhoid outbreak. In June, 1925, the son and his wife took charge of operating their new dairy. Three weeks after the typhoid outbreak among the dairy patrons began. Sanitary conditions were unsatisfactory with regard to location of milk house, privy and well.—A. S. Bedell.

Remodeling Old Barns as an Aid to the Production of Clean Milk. E. Grant Lantz, Department of Farm Machinery, The Pennsylvania State College. Second Annual Report, 1926, Pennsylvania Association of Dairy and Milk Inspectors. pp. 159-162.

A description of essentials to be considered in dairy barn construction, including arrangement, design, light and ventilation is given. Particular mention is made of the "King Heat Loss Charts" as the best guide to what may be considered good construction in so far as ventilation is concerned. In these charts, the United States has been divided into four temperature regions and a set of recommendations prepared for each region. Heat loss of a two-inch wall of solid concrete has been rated at 100% and all other heat loss given in proportion to this unit.—H. A. Whittaker.

Report of Committee on Milk Plants. C. S. MacBride. International Association of Dairy and Milk Inspectors Fourteenth Annual Report, October 12, 14, 1925. pp. 218-222.

A summary of results embodied in U. S. P. H. S. Bulletin No. 147, on experiments at Endicott, N. Y., relative to the thermal death point of various pathogenic bacteria as influenced by defects in equipment, is given. Suggested improvements to pasteurization equipment are tabulated.

Among other improvements suggested are:

Thermometer recording devices covering a narrower range, with more space between degrees and larger figures on the charts to enable more accurate temperature control.

Definite data on necessary space around crates when piled in refrigerator rooms to insure proper air circulation.

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Education of country receiving plant personnel in their responsibility for the rejection of poor milk as a part of their routine duty.

Investigation of possible presence of toxic metals in milk, since their effect is cumulative, and small amounts taken with regularity may be dangerous.

Education of milk plant inspection personnel in plant economics, as well as sanitation, that the two may be coordinated in practicable requirements.—Malcolm Lewis.

CHLORINATION OF WATER AND SEWAGE.

EARLE B. PHELPS.

Journal Boston Society of Civil Engineers, Vol. 13, No. 4, April, 1926. pp. 150-167.

This admirable paper discusses chlorination in the light of the developments of the past 16 years. Inquiry is made into the principle of disinfection and its chemical basis, the legitimate and proper role of chlorination in water supply practice, and the accomplishments and possibly some of the shortcomings of the process itself. It is estimated that not less than 30,000,000 people in the United States, living in some 3,000 communities, are today supplied with a chlorinated domestic water.

When calcium hypochlorite was first applied to drinking water, through fear that the addition of the chemical substance would lead to public disapproval, the solution of hypochlorite was referred to as "potential oxygen" in an attempt to disguise the true nature of the treatment, based upon the theory that chlorine acted solely as an oxidizing agent. Later investigations have shown the oxidation theory to be untenable and that in comparison with other oxidizing agents, the relative germicidal power of chlorine is much greater than its relative oxidizing power. The view is now fairly established that the germicidal action of chlorine is a specific toxic action similar in its general effects to the action of phenol, copper sulphate, and other non-oxidizing germicides. It is pointed out that chlorine is in no sense a suitable re-agent for oxidation of organic matter in general.

At the time when the chlorination was first introduced, it was felt that there was grave danger that this new process might be too readily accepted as a substitute for more thorough measures of water and sewage treatment. For once in the history of sanitation there was an actual danger that a sanitary achievement of real merit might be too readily accepted, for the cheapness and simplicity of the process threatened to bring about a condition of unsound practice which might discredit the process itself.

During the past sixteen years, the process of chlorination has become an almost universal one in water works practice. It has not only been quite generally adopted in the case of slightly polluted waters, but has also been used as an adjunct to filtration processes of all sorts. This development has permitted the use of higher loading factors upon filters, and has also, in many cases, provided a wide margin of safety between a badly polluted water and the consumer. There is considerable discussion at the present time of the propriety of the use of chlorination alone in the treatment of moderately polluted water supplies. Chlorination is an ideal method that provides a wide margin of safety at a low cost when superimposed as an independent process upon the usual treatment by filtration. However, in most cases where filtration is followed by chlorination, somewhat greater reliance is placed upon the latter. Thus, chlorination becomes part of the major process and the margin of safety is narrowed. It is a matter of judgment just how far the "margin of safety"

(Continued on page 237)

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(Continued from page 222)

to the senses, or within the reach or knowledge of persons under normal conditions.

Applications for a license under this section shall be in writing to the license inspector, and the applicant for such license shall procure three responsible and reputable citizens to make an endorsement on such application to the effect that in their opinion, the applicant is a person of good moral character. Provided, that before any license shall be granted the applicant shall file with the city comptroller a bond running to the City of Kansas City, in the sum of one thousand dollars (\$1,000.00) with two or more good and sufficient sureties, to be approved by the city comptroller, conditioned that the person obtaining such license shall fully comply with all the provisions of this section, and will pay all judgments rendered against him for any violation of this ordinance, together with all judgments and costs that may be recovered against him by any person for damages arising or growing out of any breach of this section or deception or fraud practiced upon any person in the course of his business, trade or avocation.

Any person sustaining damage by reason of his dealings with any fortune teller or clairvoyant shall have a right of action against such fortune teller or clairvoyant, and his sureties on his bond, to the full amount specified in said bond, and as many persons as are damaged by reason of their dealings with such fortune teller or clairvoyant shall each have a right of action upon said bond, until the amount of said bond shall become exhausted. Such action may be brought in the name of Kansas City, to the use of the aggrieved person.

The applicant shall pay one hundred dollars (\$100.00) per year for a license as a fortune teller or as a clairvoyant, and such license shall authorize the

business therein designated, to be carried on at one place only.

Any person who shall violate any of the provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined not less than one hundred dollars (\$100) nor more than five hundred dollars (\$500) for each offense.

La Crosse, 1911-1923

Ordinance No. 591

An ORDINANCE repealing existing ordinances and prohibiting the practice of palmistry and fortune telling.

The Common Council of the City of La Crosse do ordain:

Section 1. No person or persons shall practice or pretend the practice of the business or pretended business of palmistry or fortune telling, as such, and no person or persons or body of persons shall advertise or pretend to foretell future events for a fee or other compensation.

Section 2. All ordinances in conflict herewith are hereby repealed.

Section 3. Any person who shall violate any provision of this ordinance or who shall within the City of La Crosse advertise, give out, or pretend to tell future events or practice palmistry within the City of La Crosse, shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than Fifty nor more than One Hundred and Fifty Dollars or by imprisonment in the city jail for not more than thirty days or by both such fine and imprisonment.

Section 4. This ordinance shall take effect and be in force from and after its passage and publication.

Passed April 12, 1918. Published April 16, 1918.

Little Rock, 1914

Sec. 490. **Fortune Telling Prohibited.** It is hereby declared to be unlawful for any person or persons, or anyone claiming

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to act as an agent or employee thereof, to follow or pursue the avocation commonly known as fortune telling, within the corporate limits of the city of Little Rock, or to pretend to predict or profess to foretell past, future or present events for pecuniary gain or reward; by means of cards, clairvoyance, suggestion, palmistry, mechanical devices or any other kindred method whatsoever. Ord. No. 1415, May 18, 1908.

Sec. 491. **Same—Penalty.** Any person who shall violate any of the provisions of the preceding section of this ordinance shall upon conviction therefor in police court be fined in any sum not less than five dollars nor more than twenty-five dollars for the first offense, and upon conviction for a repetition of such offense shall be fined not less than double the maximum amount as prescribed as a fine for the first offense. Ib.

Shorewood, 1921

Keeping, Permitting or Being Inmate of House of Fortune Telling. Section 6. Every person or corporation who shall keep or permit to be kept on his, her or its premises within the limits of this village, a house of fortune telling, clairvoyance, or palmistry, or who shall engage in fortune telling, clairvoyance, or palmistry, and every person or persons who shall be an inmate of or found in any house of fortune telling, clairvoyance or palmistry within the limits of this village, shall be punished by a fine of not less than one (\$1.00) dollar nor more than twenty-five (\$25.00) dollars, and the costs of prosecution; and in default of the payment of such fine and the costs of prosecution, shall be imprisoned in the county jail or house of correction of Milwaukee county for a term not exceeding sixty days.

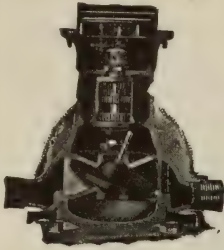
(Continued from page 233)

purpose of chlorination may safely be encroached upon in order to economize in capital and operating expenditures. It is not the fact of filtered or unfiltered waters that determines the limits of chlorination, but rather the quality of the water with which chlorination must deal. Exactly the same conditions prevail in the chlorination of raw water or waters not otherwise treated.

The writer also discusses the general reliability of chlorination processes as measured by the possibility and effects of mechanical failure; the reliability of control methods for regulating the dosage; the germicidal efficiency as affected by variable water conditions, and other matters of similar concern. The desirability of duplicate apparatus is pointed out. The control of the dosage by the orthotolidine test is discussed. In each type and condition of water there is a certain relation between chlorine dosage, bacterial efficiency and residual chlorine after a given lapse of time. When the test is properly standardized for a given water, it becomes a valuable and almost indispensable guide to proper dosage. The significance of "aftergrowths" is likewise touched upon. They should be looked upon with suspicion until their status in each case has been more fully determined.

The chlorination of swimming pools and also of sewage are discussed. In the usual sewage treatment processes, bacterial removal is but incidental to the primary purpose of these oxidation processes. Chlorination possesses great merit for efficiency and economy in producing a reasonably disinfected effluent. Its use will be more frequently employed in the future as its merits become better understood and as need for better protection of inland and coastal waters becomes more manifest. The specific action of chlorine as a toxic agent in distinction from its action as an oxidizing agent is a general principle of chlorination, best illustrated in sewage practice.

—E. C. Sullivan.



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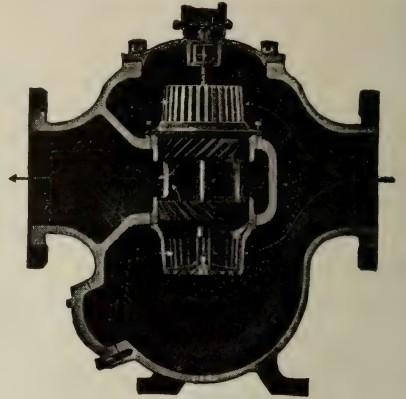
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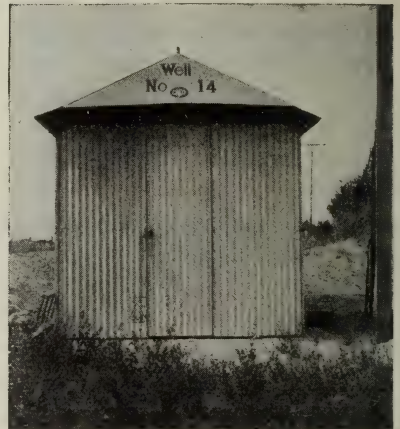
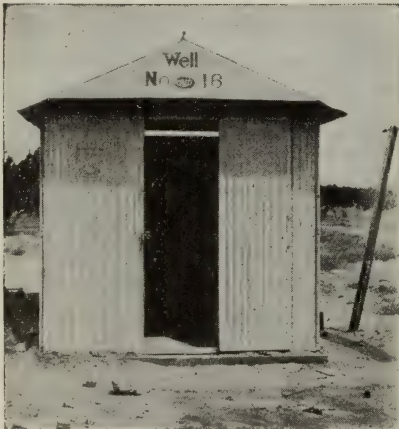
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(Continued from page 218)

of a decision rendered in respect to this legislation as was rendered in connection with the zoning case. I believe that the courts of this state will disregard the decisions of the past and will recognize the need of this kind of legislation; will recognize the human elements that actuate and indicate the necessity for this kind of legislation and will put a stamp of approval upon it.

QUESTION

Question: Do you believe that setbacks can be applied to property that is used for business purposes?

Answer: I do not believe that a setback line can be applied to property that is already built up to the front line, in the sense of forcing such buildings to be moved back.

Question: I mean the other.

Answer: That is a question that has to be considered. In my opinion, business buildings should be along the front line. When you are dealing with business buildings in a business neighborhood, it is not reasonable to require those buildings to be built back from the front line.

Question: What would be the factors to determine the reasonableness?

BUSINESS PROPERTY FACTORS

Answer: There are many factors. Briefly speaking, you speak of the factors dealing with business property. They are the factors that commonly pertain to business property. Business property as we understand it comprises buildings that are built right up to the front line. It is true that the City of Los Angeles in enacting setback ordinances has in many instances created setback lines, in anticipation of the widening of a boulevard and to prevent the encroachment of business buildings upon the area which will be condemned for street uses, the purpose of a setback line in such cases being to prevent the encroachment of business buildings on the existing prop-

erty line, and in order to avoid the necessity of having to cut off the front of such buildings when the ground is condemned for street purposes.

Question: Assume the completion of business buildings of considerable size, upon a street, say, 50 or 60 feet in width, isn't it a fact that the successful conduct of business should require the provision of additional street space for the additional traffic movements?

Answer: I do not think the municipal authorities in widening a street could take into consideration the widening of a street in that sense or for that purpose. You may say they do. From a legal standpoint, they do not.

Question: What is the necessity for widening?

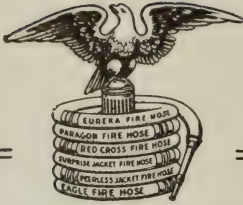
Answer: Traffic conditions along a given street. What I am trying to express to you is this, and in expressing this I want you to understand that I cannot give expression to matters properly to be considered by the legislative body of the city, but only to such matters as an attorney may speak of. I will say this, that the purpose of planning streets and the purpose that is taken into consideration by the legislative body is the public need, not the business need, for a widened street. The Council cannot take into consideration the benefits to private business.

SUPREME COURT ISSUE

MR. LOCKE: How do you hope to have the Supreme Court sustain an ordinance based on the police power when you have a general law of the state that says that setback lines can only be established under the power of eminent domain?

Answer: I recognize that the legislative act of 1917 has that provision in it, but I do not think that that could be construed as restricting the police power possessed by us as a municipality, and if

(Continued on page 241)



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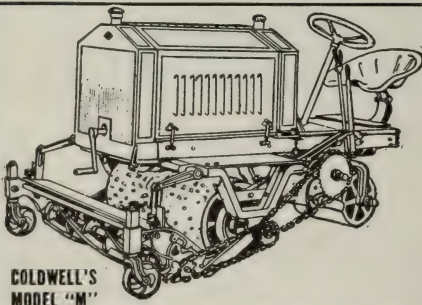
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(Continued from page 239)

we can sustain the authority to create setback lines under the police power, I do not think the Legislature can restrict that power at all. The right to the exercise of the police power is given to all municipalities under the Constitution, and if we can sustain it under the police power, we have the right. I believe that we will be able to accomplish it; that we will be able to get away with it.

Question: San Francisco has a setback line, and they are able to get away with that, and they find that by using that particular ordinance in San Francisco, based on the eminent domain power, they have accomplished a great many setback lines and established them throughout the city without any trouble or complaint.

Answer: I am frank to say that the legislation that we have adopted along that line has been under the police power.

IN BAY STATE

MR. OLMSTEAD: I might state a case in Massachusetts. For years we had in Massachusetts a law providing for the establishment of setback lines, under the eminent domain, and has been used by cities and towns in Massachusetts on the advice of the Planning Board, of which I am a member.

Parallel with that, I might say first about that—I might select the town of Brookline, as an example. Require it when they accept a street, when they recommend the town to accept a street, and lay out a subdivision with normal streets, make it a condition that a setback should accompany that street, on an ordinary residence street, and that is in the nature of a setback, and it is required where the street is less than 60 feet wide, and there are a good many such streets in towns and cities in Massachusetts, where it is required that there should be a setback so that the total distance between buildings should be at

least 60 feet. Running parallel with that procedure in regard to setbacks, under the right of eminent domain, there have been established setbacks under the police power in connection with zoning; in Springfield, for example.

So far as I know there has not been a case decided under that. It has been in force, and they have been getting away with it for some years. I think it is important to distinguish between the two procedures. The eminent domain procedure may cover any kind of a case, for any business property, including the purpose which is a very frequent one, of protecting the situation in view of possible future widening of the street. The establishment of setbacks under the police power is more limited in the purposes to which it should be directed. In the Springfield ordinance, for example, the corner setbacks were established quite largely, except in the completely built-up downtown part of the city, as a safety measure. For modern traffic conditions with streets of the width which prevail, it would be difficult, and if it can be shown in the courts that the prohibition of such building in such manner as to make those corners dangerous to life and limb, it is a reasonable regulation and on that basis those corner setbacks have been included in the zoning ordinance.

MR. REED: I would like to give my thought in regard to building heights. The Chicago Real Estate Board made a survey of the buildings of the United States and found that the revenue from that portion of the buildings between the 20th and 30th floors, the net return was $1/6$ th of one per cent—not 6 per cent, but $1/6$ th of 1 per cent. The head of the Assessment Bureau of the City of New York told me three years ago that when a man built a skyscraper he built a monument—that he built an advertisement, or he built a failure, and there is no other

alternative. The man who builds a high building, suffers the loss for going high. The extra cost of the construction that is necessary to carry the weight of a high building was so great that the income reduces every step that you go above, I believe it is 13 stories, and I think Los Angeles has an ideal ordinance with reference to height of buildings, where they limit them to 13 stories, from a viewpoint of profit to the man who is building.

There are buildings in New York City where they never see the sun. The occupants of those buildings, the clerks and stenographers, never saw the sun in all the time that those buildings have been erected, below the seventh story. One building in New York casts a shadow at high noon one-half mile long—a shadow one-half mile long over the buildings in its neighborhood—and it is unfair, to my mind that some one person should be allowed to steal the light and the health that should be given to people in other

buildings, and it is not necessary, nor is it good business for the city as a whole that high buildings should be permitted.

The average height of the buildings in Paris is four stories. If you spread your buildings out, you have more business on your first floor, which is the profitable portion of the building. The effect on the city is a higher assessed valuation in the downtown business district; you spread it out; your total assessment is greater and a benefit to every person in the community. Personally, I believe that high buildings are a menace, and wrong.

I might refer to something Dr. Aronovici has said. The arrangement he suggested of including what are ordinarily referred to as setbacks as front yards; as a striking example, Washington, D. C., where streets are from 120 to 160 feet wide. We originally laid out streets 25 to 30 feet wide. Along the sides of these are parkways, as it were, for use for front

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yards, until they may be needed for street widening purposes.

NEW YORK SETBACKS

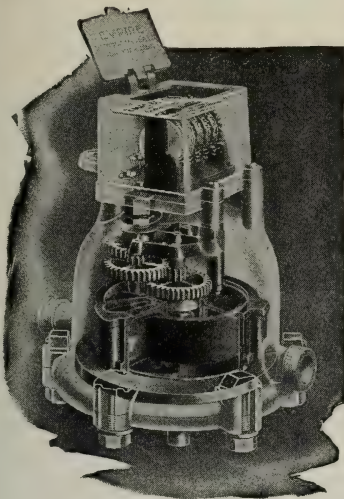
MR. GREEN: It might be interesting to add that the New York zoning ordinance, perhaps the father of all modern zoning ordinances, including such area restrictions as had the effect of setbacks. You will recall that buildings—and I refer now to business buildings that are upon the front line—are required to set back stories above a certain height. The effect is somewhat incongruous. You have a building that has somewhat of an Aztec effect. It goes up 10 or 15 stories, and then it goes back. This is another example of the application of setback lines. Those buildings which, without such construction regulations, go up to a height of 30 or 35 stories, have the effect of completely shutting out all light from the streets below most of the day, whereas buildings constructed with the upper

stories set back, in that sense, permit of more light and air to the streets below. The New York ordinance, unfortunately, has never had the test of a judicial decision as to its legality. It has been in operation since 1918 and apparently has been successful. There has been no outstanding attack against it.

IN OAKLAND

Question: I want to ask whether it will be practical, whether it can be legally done, in a situation such as I am going to describe? We have a street in Oakland that has a good many buildings on it—7 or 8—that have gone two or three stories high, and we know that the street is going to be needed wider than it is because the Southern Pacific tracks have come in the middle of that street; it is only 80 feet wide. It will have to carry considerable carline transportation. Do you think it would be possible to adopt a setback line for portions of build-

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ings higher than one story? In other words, build your main building back 15 feet from the street but let the lower floor project out 15 feet so that they could move that just at the front portion, the only necessity being to get the business out to the main street so that it will not suffer a loss temporarily, until you vote on the wider street. Is that a possibility?

Answer (Mr. Green): I say it is a possibility. I do not know that it has ever been done, but I know that here in Los Angeles we have applied the power in this way: It is anticipated that a boulevard will be widened 10 or 15 feet

on either side. They know they are going to do it, yet it takes a year or more before the actual work of widening takes place. For instance, the people of this city have already voted on a major traffic plan, and we know exactly which boulevards are going to be widened. If John Smith has a piece of property on one of these particular boulevards or streets, it is an injustice to the people for him to build an expensive building right up to the present front line and then in a year to have to pay him for the cost of the front 15 feet of the building and tear that portion of it down.

(Continued from page 214)

conforming use but must be used in accordance with the terms of the ordinance. It does not allow the changing from one non-conforming use to another non-conforming use but if any change is made it must be to a conforming use.

PROPERTY RECLASSIFICATION

There are two types of changes that may be made in the ordinance. In the first place property may be reclassified. This requires application to the City Planning Commission and after hearing by that body a final hearing by the City Council. It is provided that notice must be posted so that all people in the community will have an opportunity to be heard before both the Planning Commission and the City Council. It often-times happens that certain lots in a city are peculiar in their topography or their situation so that a strict enforcement of all of the provisions of the ordinance in respect to such lots would be unjust. Therefore, the ordinance provides for a method of obtaining special permits without reclassifying a lot. The applicant for a special permit files his petition with the City Planning Commission and that body grants or denies the permit. Either

the applicant or anyone within three hundred feet of his property may appeal from the action of the City Planning Commission to the City Council and the action of that body is final. If no appeal be taken within ten days after the decision of the City Planning Commission then its action becomes final and the permit is issued.

This model zoning ordinance is not presented as a perfect instrument in so far as the details of the planning features are concerned. For this reason the committee would appreciate it if this association would appoint a committee of planners to revise the ordinance so that it may be more perfect from the standpoint of a technical city planner.

NAMES STATE ASSOCIATION COMMITTEE

President Harry H. Culver later announced the appointment of a committee for this purpose as follows: Frank C. Nye, city planner and president, Riverside Realty Board, chairman; Hugh R. Pomeroy, secretary, Los Angeles County Regional Planning Commission, and Dr. Carol Aronovici, city planner and lecturer, University of California.—*California Real Estate*.

Pacific Municipalities

A Monthly Review of Municipal Problems and Civic Improvements

OFFICIAL ORGAN OF THE LEAGUE OF CALIFORNIA MUNICIPALITIES

OFFICIAL PROGRAM

Twenty-eighth Annual Convention

League of California Municipalities

Yosemite Valley, California

August 16th to 20th, 1926

LEADING ARTICLES IN THIS ISSUE

PROGRAM, TWENTY-EIGHTH ANNUAL CONVENTION

**PROMINENT MEN WHO WILL ADDRESS THE CONVENTION
AT YOSEMITE**

“MATTOON ACT”

Acquisition and Improvement Act
of 1925



VERETT W. MATTOON, County Counsel of the County of Los Angeles, author of the Acquisition and Improvement Act of 1925, has appointed us distributor of his street proceeding forms.

The use of these forms prepared by Mr. Mattoon, is bound to insure the legality of all your proceedings.

Forms in sets ready for distribution about August 15th, 1926.

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S A N F R A N C I S C O

Don't miss Mr. Mattoon's talk on this Act at Yosemite Valley Convention,
August 16th to 20th.

Pacific Municipalities

OFFICIAL ORGAN OF THE LEAGUE OF CALIFORNIA MUNICIPALITIES

Entered as second-class matter March 22, 1913, at the Post Office at San Francisco, California, under the Act of March 3, 1879.

VOL. XL

TWENTY-EIGHTH YEAR

No. 7

Editors.....H. A. Mason and Wm. J. Locke
Business and Advertising Manager.....H. A. Postlethwaite
Editorial and Business Office.....707-721 Chancery Building, San Francisco

Advertising Rates on Application

Address all Communications to "PACIFIC MUNICIPALITIES," Chancery
Bldg., San Francisco, California

July, 1926

A. Carlisle & Co., Printers, San Francisco



LEAGUE OF CALIFORNIA MUNICIPALITIES

Organized 1897

Affiliated with the Bureau of Municipal Reference, University of California

OFFICERS

President, H. L. MOODY, Auditor and Assessor of San Diego

Secretary-Treasurer, H. A. MASON, Bond and Ordinance Expert of the City of San Francisco

Executive Secretary, WM. J. LOCKE

Headquarters; 707 Chancery Building, San Francisco

Official Printers: A. Carlisle & Co., San Francisco

INFORMATION BUREAU

The League of California Municipalities maintains in connection with the Secretary's Office, a Bureau for furnishing city and town officials with information on municipal affairs, and loaning copies of new ordinances and specifications. Officials are urged to make a free use of this Bureau. Kindly send a self-addressed stamped envelope in all cases.

Members of the California League of Municipalities

Alameda	Covina	Inglewood	Oakland	San Juan
Albany	Corte Madera	Isleton	Oceanside	San Jose
Alhambra	Crescent City	Jackson	Ojai	San Leandro
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Benecia	Etna	Long Beach	Placerville	Sebastopol
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Burbank	Fortuna	Manteca	Redlands	South San Francisco
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Claremont	Hawthorne	Montebello	Roseville	Tracy Upland
Clovis	Hayward	Monterey	Ross	Tujunga Vacaville
Coalinga	Healdsburg	Monterey Park	Sacramento	Tulare Ventura
Colfax	Hemet	Morgan Hill	Salinas	Turlock Visalia
Colton	Hercules	Mountain View	Sanger	Vallejo Watts
Colusa	Hermosa Beach	Mt. Shasta	San Anselmo	Venice Winters
Concord	Hollister	Napa	San Bernardino	Watsonville Willows
Corcoran	Holtville	National City	San Bruno	Walnut Creek
Corning	Honolulu	Needles	San Diego	Wheatland Willits
Coronado	Huntington Beach	Nevada City	San Fernando	Whittier Yreka
Compton	Huntington Park	Newman	San Francisco	Woodland Yuba City
Corona	Hyde Park	Newport Beach	San Gabriel	
	Imperial	Oakdale		Total - - 252

Associate Members—Oregon: Astoria, La Grande

Pacific Municipalities

OFFICIAL ORGAN OF THE LEAGUE OF CALIFORNIA MUNICIPALITIES

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PROGRAM

Twenty-eighth Annual Convention OF THE League of California Municipalities

TO BE HELD AT
Yosemite Valley, Cal., August 16-20, 1926

HEADQUARTERS
CAMP CURRY

NOTICE TO SPEAKERS: Experience shows that a speaker can usually hold the attention of the audience better if he speaks extemporaneously from notes instead of reading his paper.
The success of the convention will depend in a large measure on the officers presiding over the various departments. Meetings should be called promptly on time and not allowed to drag.
The Public is invited to attend all sessions, especially students and others interested in Municipal Government and Civics.

MONDAY MORNING, AUGUST 16, 1926.

REGISTRATION.

All delegates will register and procure their badges from the Registration Clerks.

10 o'Clock A. M. Sharp
CAMP CURRY AUDITORIUM.
Entire Body

- OPENING ADDRESS.....H. L. Moody, City Auditor and Assessor of San Diego and President of the League.
- WELCOME TO YOSEMITE.....A. E. Demaray, Assistant Director of the National Park Service, Washington, D. C.
- REPORT OF SECRETARIES AND READING OF COMMUNICATIONS.
- ANNOUNCEMENT REGARDING NOMINATING COMMITTEE.
- THE BUILDING OF THE CITY OF ENTERPRISE.....Philip W. Alexander, of San Francisco, illustrated by moving pictures and the exhibit of a miniature city.
- COMMON SENSE IN ZONING?.....Gordon Whitnall of Los Angeles.

LUNCHEON

PACIFIC MUNICIPALITIES

The afternoon sessions will be held in departments as follows:
ENGINEERS, COUNCILMEN AND STREET SUPERINTENDENTS.
CLERKS, AUDITORS AND ASSESSORS.
CITY ATTORNEYS.

The City Managers' Section and the Section of Dairy and Milk Inspectors have a special program for their respective sections.

MONDAY AFTERNOON, AUGUST 16, 1926.
2 o'Clock P. M. Sharp.

Delegates will assemble in their respective departments.

DEPARTMENT OF ENGINEERS, COUNCILMEN, AND STREET SUPERINTENDENTS
IN JOINT SESSION WITH THE HEALTH OFFICERS' SECTION.

DEVELOPMENTS IN METHODS OF SEWAGE
DISPOSAL.....Chester G. Gillespie, C. E., Berkeley,
Director, Bureau of Sanitary Engi-
neering, California State Board of
Health.
Discussion led by C. C. Kennedy, Professor Charles Gilman Hyde of the University of California,
and W. T. Knowlton, Sanitary Engineer of Los Angeles.
THE NEED OF A PUBLIC HEALTH ACT.....W. L. Tower, President of the Car-
mel Sanitary District.

DEPARTMENT OF CITY ATTORNEYS.

MONDAY AFTERNOON, AUGUST 16, 1926.
2 o'Clock P. M.

Meeting in the Antlers' Club House.
F. B. Graves, Presiding.

RECENT COURT DECISIONS OF IMPORTANCE TO
MUNICIPALITIES.....Robert L. Shinn, City Attorney of
Sacramento.
DESIRABLE AMENDMENTS TO THE STREET OPEN-
ING ACTS.....Norman F. Malcolm, City Attorney
of Palo Alto.
REPORT OF THE COMMITTEE ON MODEL ZONE
ORDINANCE.....Bruce Mason, City Attorney of Long
Beach and Chairman of the Com-
mittee.

DEPARTMENT OF CLERKS, AUDITORS AND ASSESSORS.

MONDAY AFTERNOON, AUGUST 16, 1926.
2 o'Clock P. M.

Meeting in the Men's Lounge of Camp Curry Auditorium.
Lewis P. Black, Presiding.

MATTOON ACT—QUESTIONS ANSWERED.....E. W. Mattoon, County Counsel, Los
Angeles County.
1915 IMPROVEMENT ACT.....Charles N. Kirkbride.
FILING OF STREET PROCEEDINGS.....Otto H. Dulke, City Clerk of Ingle-
wood.
ZONING APPLICATIONS AND HEARINGS.....Allen H. Wright, City Clerk of San
Diego.

TUESDAY MORNING, AUGUST 17, 1926.**9:30 o'Clock A. M. Sharp.****Entire Body, meeting in the Camp Curry Auditorium.****Hon. H. L. Moody, Presiding.**

- THE TELEPHONE RATE CASE.....John R. Richards, of the Mayor's
Telephone Committee of Los An-
geles.
- HOW REGIONAL PLANNING IS BENEFICIAL TO
THE CITIES.....Hugh R. Pomeroy, Secretary Regional
Planning Commission of Los An-
geles.
- THE LEGALITY OF SET-BACK LINES.....Lucius P. Green, Assistant City At-
torney of Los Angeles.
- APPOINTMENT OF THE COMMITTEE ON RESOLUTIONS.

DEPARTMENT OF CITY ATTORNEYS**TUESDAY AFTERNOON, AUGUST 17, 1926.****2 o'Clock P. M.****Meeting in the Antlers' Club House.****F. B. Graves, Presiding.**

- BUSINESS LICENSES.....R. N. Wolfe, City Attorney of
Pittsburg.
- REPORT OF THE COMMITTEE ON MODEL BUILD-
ING ORDINANCE.....H. A. Postlethwaite, City Attorney
of San Bruno.
- THE PROHIBITION OR REGULATION OF ROLLING
STORES.....Wm. J. Locke, City Attorney of
Alameda.

DEPARTMENT OF CLERKS, AUDITORS AND ASSESSORS.**TUESDAY AFTERNOON, AUGUST 17, 1926.****2 o'Clock P. M.****Meeting in the Men's Lounge of Camp Curry Auditorium.****Lewis P. Black, Presiding.**

- THE COUNCIL MEETING—A DEMONSTRATION....Harry G. Denton, City Clerk of
Sacramento.
- ADDRESSOGRAPH FOR ASSESSORS AND TAX COL-
LECTORS.....(Speakers' name to be supplied later.)
- ASSESSING AT A FAIR CASH VALUE.....H. L. Moody, City Assessor and
Auditor of San Diego.

DEPARTMENT OF ENGINEERS, COUNCILMEN AND STREET SUPERINTENDENTS.**TUESDAY AFTERNOON, AUGUST 17, 1926.****2 o'Clock P. M.****Meeting in Camp Curry Auditorium.****J. A. Van Alstine, Presiding.**

- DESIRABLE AMENDMENTS TO THE LAW RELATING
TO PERSONAL PROPERTY TAXES.....Hon. H. L. Moody, City Auditor and
Assessor of San Diego, and Presi-
dent of the League.
- EXPERIENCE OF THE STATE HIGHWAY COMMIS-
SION WITH VARIOUS TYPES OF PAVEMENT....C. S. Pope, of the California State
Highway Commission.

PACIFIC MUNICIPALITIES

WEDNESDAY MORNING, AUGUST 18, 1926.

Commencing at 9:30 A. M. Sharp and continuing after Luncheon till 3 P. M.

ENGINEERS, COUNCILMEN AND STREET SUPERINTENDENTS.

Meeting in Camp Curry Auditorium.

J. A. Van Alstine, Presiding.

TRAFFIC CONTROL.....	Charles F. Todd, Member of the San Francisco Board of Supervisors and President pro tem of the California Traffic League.
METHODS OF HANDLING TRAFFIC DURING STREET CONSTRUCTION.....	J. C. Albers, City Engineer of Beverly Hills.
WHO SHOULD BEAR THE EXPENSE OF EXTENSIONS OF PUBLICLY OWNED UTILITIES?.....	Frederick Baker of Los Angeles.
THE ACQUISITION AND IMPROVEMENT ACT OF 1925 IN ACTION.....	Everett W. Mattoon, Author of the Act, and County Counsel of Los Angeles County.

WEDNESDAY MORNING, AUGUST 18, 1926.

Commencing at 9:30 A. M. Sharp and continuing after Luncheon till 3 P. M.

THE DEPARTMENT OF CLERKS, AUDITORS AND ASSESSORS
MEETING IN JOINT SESSION WITH
THE DEPARTMENT OF CITY ATTORNEYS

at the

ANTLERS' CLUB HOUSE.

Lewis P. Black, Presiding.

RECENT PERSONAL PROPERTY TAX LAW.....	M. D. Lack, Former Member of State Board of Equalization.
ADVANCING MATURITIES ON 1915 BONDS.....	C. N. Kirkbride, Former President of the League and Author of the 1915 Bond Act.

QUESTIONS FOR DISCUSSION.

The law says the clerk should keep a full and true record of the proceedings of the board of trustees. How full and complete should the record be?

Should the names of the mover and seconder appear in all actions?

Should there be a resolution book as well as an ordinance book or how should a resolution be kept?

Upon the approval of the minutes should the record book be signed by the president or mayor?

Is there any objection to the city clerk holding the additional office of town recorder or justice of the peace?

What are the advantages of a private city council meeting as a committee of the whole for an hour preceding the opening of the regular meeting?

Should the city clerk prepare a program of the business to come up before the meeting and submit copies to the members of the committee of the whole?

Should the city clerk have the minutes typewritten on the day after the meeting and send copies to each councilman so they will be familiar with the minutes when read at the following meeting?

Is it lawful or proper to dispense with reading the minutes if the councilmen are acquainted with them?

What circumstances, if any, would justify the clerk in refusing to countersign a warrant?

The joint meeting may be continued after luncheon till 3 o'clock P. M.

PROGRAM FOR THE JOINT SESSION IN THE AFTERNOON.

BUSINESS LICENSES.....	Peirson M. Hall, Member of City Council, Los Angeles.
PENSION SYSTEMS FOR MUNICIPALITIES.....	H. Ivor Thomas, C. P. A., City Auditor of Santa Monica.

WEDNESDAY AFTERNOON, 3 to 6 P. M.

Tour of the valley and inspection of the sanitation methods used, including garbage and sewage disposal, and inspection of the garbage incinerator.

The tour will be conducted by Oliver G. Taylor, the government resident engineer, assisted by C. G. Gillespie of the California State Board of Health, and will conclude with a

BARBECUE AT MIRROR LAKE**THURSDAY MORNING, AUGUST 19, 1926.**

9:30 o'Clock A. M.

DEPARTMENT OF ENGINEERS, COUNCILMEN AND STREET SUPERINTENDENTS.**UNFINISHED BUSINESS.**

ELECTION OF PRESIDENT OF THE DEPARTMENT, WHO IS EX-OFFICIO MEMBER OF THE EXECUTIVE COMMITTEE OF THE LEAGUE.

DEPARTMENT OF CITY ATTORNEYS

COMMISSIONS IN CITIES OF THE SIXTH CLASS.... James H. Mitchell, City Attorney of Burbank.

NEW LEGISLATION OF INTEREST TO MUNICIPALITIES, INCLUDING PRINCIPAL QUESTIONS ON

THE NOVEMBER BALLOT..... J. W. Coleberd, City Attorney of South San Francisco.

UNFINISHED BUSINESS.

ELECTION OF PRESIDENT OF THE DEPARTMENT, WHO IS EX-OFFICIO MEMBER OF THE EXECUTIVE COMMITTEE OF THE LEAGUE.

DEPARTMENT OF CLERKS, AUDITORS AND ASSESSORS.

UNIFORM ACCOUNTING..... Cary O'Steen, City Controller of Burbank.

BUDGET MAKING AND CONTROL..... Roy A. Knox, Director of Budget and Efficiency, Los Angeles City.

ANNUAL REPORT TO STATE CONTROLLER..... Ray L. Riley, State Controller.

FILING, INDEXING AND CODIFICATION OF ORDINANCES..... W. E. Varcoe, City Clerk of Alameda.

UNFINISHED BUSINESS.

ELECTION OF PRESIDENT OF THE DEPARTMENT, WHO IS EX-OFFICIO MEMBER OF THE EXECUTIVE COMMITTEE OF THE LEAGUE.

THURSDAY AFTERNOON, AUGUST 19, 1926.**ENTIRE BODY**

REPORT OF AUDITING COMMITTEE
REPORT OF NOMINATING COMMITTEE
AND ELECTION OF OFFICERS
UNFINISHED BUSINESS
ADJOURNMENT

Note—Members of one department are welcome to attend any other department and participate in the discussions.

PROGRAM

HEALTH OFFICERS' SECTION

OF THE

League of California Municipalities

YOSEMITE VALLEY, CALIFORNIA

AUGUST 16-20, 1926.

MONDAY, AUGUST 16.

9:00 A. M.—Registration.

2:00 P. M.—General Session with League of California Municipalities.

Recent Developments in Methods of Sewage Disposal. Chester G. Gillespie, C. E., Berkeley,
Director, Bureau of Sanitary Engi-
neering, California State Board of
Health.

TUESDAY, AUGUST 17.

9:00 A. M.—Address of Welcome. Dr. Claude H. Church, Health Officer,
Yosemite.

Address of the President. Dr. Walter M. Dickie, Sacramento,
Secretary and Executive Officer,
California State Board of Health.

Needed Public Health Legislation. Dr. John L. Pomeroy, Los Angeles,
Health Officer, Los Angeles County.

The Certified Public Health Laboratory. Dr. W. H. Kellogg, Berkeley, Direc-
tor, State Hygienic Laboratory,
California State Board of Health.

The Value of the Public Health Nurses. Dr. W. B. Wells, Riverside, City
Health Officer.

8:00 P. M.—Public Health in European Countries. Dr. Wm. C. Hassler, San Francisco,
City Health Officer.

The Pre-School Drive. Dr. Ellen S. Stadtmuller, San Fran-
cisco, Director, Bureau of Child
Hygiene, California State Board of
Health.

PACIFIC MUNICIPALITIES

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WEDNESDAY, AUGUST 18.

- 9:00 A. M.—The Control of Smallpox.....Dr. W. W. Cress, Sacramento, City Health Officer.
Discussion led by Dr. C. Mathewson, Fresno, City Health Officer.
The Epidemic of Malignant Smallpox in Los Angeles...Dr. George Parrish, Los Angeles, City Health Officer.
Discussion led by Dr. H. C. Brown, San Jose, City Health Officer.
The Control of Communicable Diseases.....Dr. A. J. Chesley, Minneapolis, Secretary and Executive Officer, Minnesota State Board of Health.
Cross Infections of Smallpox in Hospitals.....Dr. Allen F. Gillihan, Sacramento, State District Health Officer.
Discussion led by Dr. J. J. Sippy, Stockton, Health Officer, San Joaquin Health District.
8:00 P. M.—The Health of the Migratory Laboring Population.....Miss Georgiana Carden, Sacramento, Supervisor of School Attendance, State Department of Education.
The Inspection of Food Establishments.....Professor M. E. Jaffa, Berkeley, Director, Bureau of Food and Drugs, California State Board of Health.

THURSDAY, AUGUST 19.

- 9:00 A. M.—The Control of Milk Borne Outbreaks of Typhoid Fever.....Dr. Charles H. Halliday, San Francisco, Epidemiologist, California State Board of Health.
The Present Status of Immunization Against Scarlet Fever.....Dr. Harry E. Foster, Oakland, City Health Officer.
Diphtheria Immunization During the Past Year.....Dr. V. G. Presson, Santa Ana, County Health Officer.
Discussion by
Dr. W. B. Wells, Riverside, City Health Officer.
Dr. C. R. Blake, Richmond, City Health Officer.
Dr. C. Mathewson, Fresno, City Health Officer.
Dr. K. H. Sutherland, San Luis Obispo, County Health Officer.
Dr. H. C. Brown, San Jose, City Health Officer.
How to Conduct a Health Center.....Dr. Wm. P. Shepard, Berkeley, City Health Officer.
8:00 P. M.—The Present Status of Tuberculosis in California.....Mrs. E. L. M. Tate-Thompson, Fresno, Director, Bureau of Tuberculosis, California State Board of Health.

BUSINESS MEETING

REPORTS OF COMMITTEES

ELECTION OF OFFICERS

Round Table Luncheons to be Held during the Conference.

- Child Welfare.....Dr. Elizabeth Saphro, Los Angeles, Los Angeles County Health Department, Chairman.
Garbage and Sewage Disposal.....Dr. A. M. Lesem, San Diego, County Health Officer, Chairman.
Epidemiology.....Dr. Wm. P. Shepard, Berkeley, City Health Officer, Chairman.
Food Inspection.....Dr. C. Mathewson, Fresno, City Health Officer, Chairman.
Laboratory Diagnosis.....Dr. W. H. Kellogg, Berkeley, Director, State Hygienic Laboratory, Chairman.



Program of City Managers' Section

Yosemite Valley, August 16 to 20, 1926

1. Address to the Members..... John N. Edy, President State Association.
2. Report of Secretary..... H. F. Scoville.
3. Suggested Methods of Improvement in Traffic Problems... W. M. Tudor, Manager Public Safety Department, Calif. State Automobile Assn.
4. A Uniform Building Code for California Cities..... J. E. Mackie, Long Beach.
5. Pavements—Types and Maintenance..... Thomas Stanton, Assistant State Highway Engineer.
6. Should Cities Participate in the Gas Tax..... C. B. Goodwin, City Manager, San Jose.
7. Licenses—How Far Should Cities go in Licensing Business?..... H. F. Scoville, City Manager, Monrovia.
8. Constructive City Planning—the City Manager's Relation Thereto..... Speaker to be selected.
9. The City Manager and the Council..... Honorable E. B. Stringham, Mayor, Berkeley.
10. Selling Good Government to the Citizens..... W. C. Record, City Manager, Fullerton.
11. Drafting Programs of Work..... F. A. Rhodes, City Manager, San Diego.
12. Training for the Profession..... Speaker to be selected.
13. Auditing and Control of Government Funds..... William Dolge, C. P. A., San Francisco.
14. Per Capita Costs of Health Departments in Cities Under the City Manager Form of Government..... Dr. W. P. Shephard.
15. Uniformity of Reports and Forms..... Roy W. Pilling, Asst. City Manager, Berkeley.
16. Methods of Controlling Ornamental Light Maintenance Cost..... J. C. Albers, City Engineer, Beverly Hills.
17. Should the Installation of Cost Systems Be Required in Municipalities..... A. B. Abbott, Chief Accountant, City of Los Angeles.

Program of California Association of Dairy and Milk Inspectors

Yosemite Valley, August 16-20, 1926

MONDAY, AUGUST 16, 1926

10:00 A. M.—12:00 M.

Registration

General Session with League of California Municipalities

2:00 P. M.—5:00 P. M.

Business Meeting	President's Address	Secretary's Announcements	Report of Committees
Address.....			MR. ROBERT E. JONES
	<i>Pacific Slope Dairy Show, Oakland, Cal.</i>		
Hemolytic Streptococcus.....			PROF. C. S. MUDGE
	<i>Assoc. Professor, Dairy Industry, Davis, Cal.</i>		

TUESDAY, AUGUST 17

10:00 A. M.—12:00 M.

The Advantages of Co-Operation Between Dealers and Health Departments.....	WM. E. MOORE
<i>Secretary Milk Dealer's Association, San Francisco</i>	
Dairy Inspection and its Value to the Ice Cream Industry.....	C. L. SMITH
<i>Production Manager, National Ice Cream Co., San Francisco</i>	
A Study of Culture Media Used in Plating Milk.....	MR. J. J. GARLAND
<i>County Inspector of San Mateo County, Redwood City</i>	
Can the Plate Method be Replaced by the Methylene Blue Test in Milk Control....	MR. F. A. SILVER
<i>Bacteriologist, Dairy Delivery Co., San Francisco</i>	

2:00 P. M.—5:00 P. M.

Some Observations on the Weight of Ice Cream.....	MR. WM. STABLER
<i>Superintendent, Crescent Creameries, Inc., Los Angeles</i>	
Is There Need for Revision of the State Standard of Milk.....	DR. C. W. DUCKWORTH
<i>Director, Division of Dairy Products, Los Angeles</i>	
Defense of Official Methods.....	DR. J. J. FRY
<i>Chief, Bureau of Dairy Control, Sacramento</i>	
Certified Milk, Present and Future.....	DR. J. P. BUSHONG
<i>Veterinarian for Certified Dairies, Los Angeles</i>	

WEDNESDAY, AUGUST 18

10:00 A. M.—12:00 M.

Feeds and Their Effect on Flavor of Milk.....	DR. MAYNARD ROSENBERGER
<i>Manager, Adohr Stock Farms, Certified, Los Angeles</i>	
Standardization of Utensils on the Farm.....	DR. H. E. TORGERSEN
<i>Bacteriologist, United Milk Co., San Francisco</i>	
Tuberculin Tests in Relation to Raw Milk.....	MR. THOS. BRICE
<i>Executive Secretary, California Milk Producers' Association, Los Angeles</i>	
The Proper Care of Milk Containers in the Home.....	DR. JOHN HAY
<i>Bacteriologist, San Francisco Dairy Co., San Francisco</i>	

2:00 P. M.—5:00 P. M.

Sanitation and Milk in South America.....	MR. C. W. KING
<i>Illinois-Pacific Glass Co., San Francisco</i>	
The Disposition of Re-actors in Raw Milk Herds.....	DR. S. O'TOOLE
<i>Department of Agriculture, Sacramento</i>	
Some Things I Saw in Europe.....	DR. WM. P. HASSLER
<i>Health Officer, San Francisco</i>	
MOVING PICTURE.....	"Milk"
<i>Los Angeles County Health Department</i>	

OFFICERS, 1926-1927

DR. A. F. EAGLE.....	President
Health Department, San Francisco	
MR. C. F. HUDDLESON.....	Vice-President
Pasadena	
DR. GEO. L. MELODY.....	Secretary-Treasurer
Health Department, San Francisco	

All Aboard for Yosemite National Park

Rates—How to get there—Program

The twenty-eighth annual convention of the league will be held in the Yosemite National Park, California's greatest scenic asset and most delightful resort, August 16th to 20th.

There are many advantages to be derived from meeting in Yosemite. The Park is almost the exact geographical center of the State, convenient to all the main centers of population, so that delegates can reach the meeting place quickly and at moderate cost. Expenses incident to a convention in Yosemite will be found smaller, as a rule, than if the meeting took place in a city.

Accommodations have been provided to suit every taste and every purse, and ample halls and rooms are available for general or committee sessions without extra charge.

A convention in Yosemite always attracts record attendance, because everybody welcomes an opportunity to visit this wonderful place, and any organization which has an important program before it, demanding concentrated attention, cannot do better than to gather in Yosemite, where delegates will be free from the distractions of a city. The California Medical Association, California Bankers' Association, Foresters of America, and other leading organizations, have met in Yosemite and have nothing but words of praise.

Amusement and recreation in Yosemite are diversified. There are five-minute walks that will give you solitude, and all day hikes to try your endurance, crystal streams for anglers lure with their rainbow beauties, quiet trails that wind through flower starred meadows and stretches of primeval forest. You may have a guide, afoot, on horseback, or by automobile, if you will, to go deep into the Valley's lore, or you may wander alone over its well-marked ways in freedom and content. The great campfires are magnets of an evening for the population of the Valley. There delightful informal programs are given, closing with the Firefall from Glacier Point. Afterward you may join the throng in the dancing pavilion to the music of an excellent orchestra. or abandon yourself to the spell of Yosemite by night.

There is a community center containing every public convenience—spacious verandas, writing-room, dining-room, cafeteria, swimming-pool, soda fountain, cleaning and pressing, laundry, barber shop, beauty parlor, post office, express, telephone, telegraph, curio and news stand, photography, children's playground, in fact, everything a visitor will need or desire—and around this center are grouped the bungalows and tents containing living quarters for guests. These are designed to harmonize with their forest surroundings. All of them are completely comfortable, but the different types vary in the degree of service rendered so that every purse may be suited.

Yosemite is not a mere sight-seeing place, but a vacation resort where it is impossible for anybody to have a dull time. The scenery is not surpassed anywhere in the world—but even majestic peaks and sapphire lakes do not call the same people back to the same place season after season for an indefinite stay. Human nature craves variety, and in these, Yosemite excels above all other vacation resorts.

Yosemite not only holds a panorama of sheer precipices and blue-shadowed distance, or raging torrent and drifting waterfall for the traveler from the ends of the world, but it unfolds a changing program of more intimate beauty for those who can live with it day in and day out.

THE RATES AT YOSEMITE

CAMP CURRY—

American and European Plan, capacity 1300. Elevation 3,980 feet.

A colony of bungalows and tents grouped around a community center, including office, American plan dining-room, cafeteria, lounge, writing room, dance pavilion, swimming pool, tennis court, open air theatre, camp-fire, and children's playground. Electrically lighted throughout. Camp-fire and entertainment features every evening. Daily mail service, long distance telephone and telegraph.

Bungalows with private baths have front porch, living-room with beds and closets, and are electrically lighted and heated. Tents without bath are floored and completely furnished and electrically lighted.

American plan rates include lodging and three meals in main dining-room and box lunches for all day motor or saddle trips without extra charge.

European plan rate includes lodging only; a cafeteria is operated in connection. European plan guests can purchase box lunches for trips. All guests have equal access to all public rooms and entertainment.

CAMP CURRY RATES:

	Bungalow (with private bath)		Tent without bath	
	Two or more in room	One in room	Two or more in tent	One in tent
American Plan:				
Per Day	\$ 6.50 each	\$ 8.50	\$ 4.00 each	\$ 5.00
Per Week	45.50 each	59.50	28.00 each	35.00
Four Weeks	170.00 each	225.00	100.00 each	128.00
European Plan—In Tent (without bath):				
Per Day			\$1.50 each	\$ 2.50
Per Week			10.50 each	17.50
Four Weeks			37.50 each	60.00

Children's Rates:

Under 3 years no charge; 3 to 10 years inclusive, half rate; 11 years and over, full rate.

Tub and Shower baths in detached buildings 50c

YOSEMITE LODGE—

American and European Plan, capacity 1,200. Elevation 3,980 feet.

A colony of cabins grouped around a community center including office, American plan dining-room, cafeteria, lounge, writing room, dance pavilion, swimming pool, tennis court, open air theatre, camp-fire, and children's playground. Electrically lighted throughout. Campfire and entertainment features every evening. Daily mail service, long distance telephone and telegraph.

Redwood Cabins with private baths have front porch, living-room with twin beds, dressing-room and closet, and are electrically heated; many also have screened sleeping porches. Redwood and canvas cabins without baths have living and sleeping compartments with twin beds.

American plan rates include lodging and three meals in main dining-room with individual service at table and box lunches for all-day motor or saddle trips without extra charge.

European plan rate includes lodging only; a cafeteria is operated in connection. European plan guests can purchase box lunches for trips. All guests have equal access to all public rooms and entertainments.

YOSEMITE LODGE RATES:

Redwood Cabin with Bath—American Plan only:

With Sleeping Porch (Type A)		Per Day
2 persons in room.....		\$ 9.50 each
3 persons in room.....		8.50 each
4 persons in room.....		8.00 each
Without Sleeping Porch (Type B)		Per Day
1 person in room.....		\$10.50
2 persons in room.....		8.50 each
Redwood or Canvas Cabin without Bath	Canvas Cabin without Bath	
American Plan	European Plan	
\$7.00.....	1 person in room.....	\$3.00
6.00 each.....	2 or more persons in room.....	2.00 each

Children's Rates:

Under 3 years, no charge; 3 to 10 years inclusive, half rate; 11 years and over, full rate.

Tub and shower baths in detached buildings.....50c

HOW TO GET TO YOSEMITE VALLEY BY RAILROAD

The following fares include railroad transportation to El Portal and return, and motor car transportation via Yosemite Transportation System from El Portal to Yosemite Valley and return.

Effective all year	16-Day Limit	Season Limit
Merced to Yosemite Valley and return.....		\$13.50
San Francisco to Yosemite Valley and return.....	\$20.25	21.75
Los Angeles to Yosemite Valley and return.....	29.75	33.00

HOW TO GET TO YOSEMITE VALLEY BY AUTOMOBILE

In all probability many of the city officials will drive to the valley by automobile. The new road better known as the **"Merced and El Portal All Year Highway"** will be dedicated by the state highway commission on July 31st. The opening of this new highway will enable a party to make the trip in one day from either San Francisco or Los Angeles.

Those going to the convention this way will drive to **Merced**, where they will be met by a reception committee of city officials and representatives of the Merced County Chamber of Commerce. From Merced the highway leads to Mormon Bar and from there to Mariposa. From Mariposa the highway goes through an old historic country of scenic beauty to a settlement known as Briceberg on the Merced river. After leaving Briceberg, the highway follows up the Merced river on a very easy grade to El Portal and entrance to the valley.

Minutes of the Meeting of the California Municipal Traffic League

Held in the Council Chamber of the City Hall, San Francisco, July 16, 1926.

The meeting was called to order by Hon. Chas. F. Todd, Chairman of the Traffic Committee of the San Francisco Board of Supervisors, who stated that, among other things, the purpose of the meeting was to formulate an organization to draft a uniform ordinance or code for

adoption by the cities of California. Supervisor Welch nominated Wm. J. Locke, City Attorney of Alameda and secretary of the League of California Municipalities, as temporary secretary of the meeting. The following persons were noted present:

Supervisors Todd, Schmidt, Shannon, Welch, } San Francisco

Supervisor C. J. Gardner.....	Chairman, Supervisors.....	Marin County
W. B. Hogan.....	City Engineer.....	Stockton
Mr. Nicholson.....	Calif. Auto Association.....	
Mr. F. N. Jarvis.....	Chief of Police.....	Mountain View
Capt. Gleeson.....		San Francisco
Mr. Cleve Heath.....	Deputy Chief of Police.....	Los Angeles
L. D. Cary.....	Police Department.....	Oakland
Mr. Matson.....	S. F. Chamber of Commerce.....	San Francisco
T. E. Sanford.....	Atty., Auto Ass'n.....	Los Angeles
J. A. Davis.....	Counsel, Auto Ass'n.....	Los Angeles
J. P. Murphy.....	Captain of Police.....	Fresno
Alfred Seale.....	Chairman, Bd. of Safety.....	Palo Alto
Frank Otis.....	Mayor.....	Alameda
Wm. J. Locke.....	City Attorney.....	Alameda
H. A. Zink.....	Chief of Police.....	Palo Alto
Miss Helen Holt.....	Cal. Public Safety Conference.....	
Mrs. D. E. F. Easton.....	Cal. Public Safety Conference.....	
Peter Tum Sudem.....	Chairman, Pacific Highway Assn.....	San Francisco
Mr. C. Suzan.....	The Bullard Company.....	San Francisco
J. J. Walsh.....	V. P., Pacific Highway Ass'n.....	San Francisco
Clarence P. Taylor.....	Traffic Officer.....	Berkeley
H. R. Thompson.....	Pres., Bd. of Traffic Safety Com- mission.....	Berkeley
A. D. Thompson.....	General Electric Company.....	San Francisco
H. M. Koch.....	Lighting Dept., G. E. Co.....	San Francisco
Thos. Ryan.....		Sebastopol
R. C. Dorsey.....	Traffic Control.....	Los Angeles
Mr. Althoren.....	Bureau of Municipal Research....	San Francisco
P. J. Kelly.....		San Francisco
J. F. Kelly.....		San Francisco

R. L. Juarez.....	San Francisco
Geo. H. Rostron	Chairman, Supervisors, Santa Cruz County..... Santa Cruz
John Hooper.....	
Commissioner J. C. Durham....	Chairman, Washoe Co. Commis- sion; President Associated Com- mission of Nevada.

The chairman announced that he proposed to appoint later a committee of five on permanent organization and legislation and a like committee on nominations. He then called on Mr. Nicholson of the California Automobile Association to explain his ideas of what the proposed league might accomplish. Mr. Nicholson said he thought the formation of the traffic league a very desirable thing and concluded by suggesting that Mr. Sanford, Attorney for the Southern California Automobile Association of Los Angeles, be asked to tell what had been done in the south toward drafting a traffic code. Before Mr. Sanford addressed the meeting Supervisor Welch introduced Mr. John Hooper, a well known authority on traffic problems. Mr. Sanford then proceeded and told the meeting of the work that had been accomplished in the south toward framing a uniform ordinance or code and explained the various provisions of the ordinance which they had drafted and which they regarded to some extent as a model.

Supervisor Schmidt of San Francisco suggested that copies of the ordinance be obtained as soon as possible and distributed to the delegates present. Mr. Nicholson said he thought he could have copies prepared for distribution in the afternoon. Mr. Sanford suggested that the chair call upon Mr. J. A. Davis, Counsel for the Southern Automobile Club, who was well qualified to explain the details of the ordinance which, by the way, had been adopted in Los Angeles and was working out very satisfactorily. After Mr. Davis had concluded Supervisor

Schmidt arose and said that he commended the ideas which were embodied in the ordinance, especially those in reference to the regulation of pedestrian traffic at street intersections. In response to questions submitted by Mr. Locke, Mr. Davis stated that he was inclined to think that the ideas had better be covered in a model ordinance rather than put into a state law for the reason that they embodied matters which should more properly come under local control.

The chairman then called upon Mrs. Easton of the California Safety Conference and she made a very interesting address, mentioning, among other things, the many different organizations which had indorsed the Los Angeles ordinance. She was followed by Attorney Tum Suden, representative of the Pacific Highway Association, who took the occasion to say that the members of his organization were very desirous of seeing a uniform traffic law or ordinance adopted, and that they would do all in their power to assist in securing its universal adoption. He called attention to a new book issued by his organization to show the interest they had in the subject and their desire to cooperate.

Capt. Gleeson of the San Francisco Traffic Squad was next called upon by the Chair for a few remarks. He stated that it was his opinion that San Francisco officials would approve the proposed ordinance. However, he called attention to the fact that by reason of the angular streets coming into Market St. and the fact that they were lacking in cross-town streets, San Francisco presented difficul-

ties in the way of traffic regulation which were absent in other cities. Mr. George E. Sanford of the California Automobile Association and Mr. J. E. Davis of the Automobile Club of Southern California were requested to sit in with the legislative committee when that committee undertook the work of preparing a uniform ordinance. The assistant to Mr. McClintock was present and expressed an opinion that it would not be found necessary to make more than minor changes in the model ordinance submitted from Los Angeles. Supervisor Schmidt suggested that Mr. Watson also be requested to sit in with the committee and Chairman Todd said that this would be done. Mr. John Hooper of Winnepeg talked from the visitors' point of view and said that Canada looks to the automobile clubs of California for guidance. Members of his organization stressed the importance of uniformity and expressed an opinion that the tourist crop was one of the greatest crops California possessed.

Capt. Murphy of Fresno discussed left-hand turns and said that in his judgment the most important thing was education of the public. He assured the hearty cooperation of his city. Chief of Police Zink of Palo Alto expressed his approval of the proposition for uniformity. Likewise a similar expression was received from Mr. L. D. Cary of the Oakland police department. The subject of left-hand turns was then discussed by Capt. Gleeson of the San Francisco Traffic Squad, who pointed out among other things the necessity of eliminating congestion from the east of Market St., pointing out that the physical conditions of the street make left-hand turns unnecessary. The meeting then adjourned for lunch.

AFTERNOON SESSION

The meeting was resumed at two o'clock and the discussion of left-hand

turns continued. Mr. Heath of Los Angeles stated that he was not committed to the idea and doubted the economy of requiring a drive of 2,000 ft. in order to make a distance of 50 ft., in the meantime creating half a dozen other problems.

The next subject taken up was that of parking zones. City Engineer Hogan of Stockton stated that they have abolished center parking there and substituted parallel parking on sixty-foot streets and diagonal parking on eighty-foot streets. In his opinion, metal markers are not adapted to parking spaces where there is not enough parking to keep them polished and visible. Mr. Thompson of Berkeley discussed the question of backing into parking spaces, calling attention to some of the advantages of so doing but explained that the idea seemed to be unsatisfactory to the public.

At this point Mr. Durham of Washoe Co., Nevada, was introduced and addressed the meeting on the transcontinental highway exhibition, which is to be held shortly in Reno, Nevada. After Mr. Durham had concluded Mr. Seale of Palo Alto took the floor and told of the experiences they had in his municipality, explaining that they preferred parallel parking. However, he thought it was a question which should be left to each municipality as it depends largely on the local conditions. Mr. Locke called attention to the fact that the difficulty of finding parking space in the congested districts of large cities is having the effect of driving the retail business out into the suburbs. Mr. Cary said that condition was noticeable in Oakland and that many little business communities were springing up in various parts of the city. Attorney Tum Suden said he thought that one of the important things was the proper marking of parking spaces and Mr. Thompson of Berkeley commented on the question of parking at corners, stating

that until recently Oakland had one rule and Berkeley another.

At this stage of the proceedings the chairman interrupted to announce the committee on permanent organization to be as follows: C. J. Gardner, President of the Board of Supervisors of Marin County, Chairman; J. P. Murphy, Chief of Police of Fresno; Alfred Seale, Chairman of the Board of Safety of Palo Alto; George H. Rostron, President of the Board of Supervisors of Santa Cruz Co., and Walter Schmidt, former member of the assembly and at the present time member of the board of supervisors of San Francisco. The chairman also took the occasion to announce that all delegates present would be invited to go on an automobile ride around the city tomorrow at the conclusion of the meeting and called for a show of hands from those who would be able to accept the invitation. About twenty responded.

The question of time limits for parking automobiles was next taken up and Capt. Heath of Los Angeles Police Dept. explained how their system works in the southern city, where they don't allow any parking whatever in the business district between 4:30 and 6 p. m. Supervisor Schmidt then addressed the meeting on the importance of having uniform signs, and his views were indorsed by Mr. Locke. Mayor Rolfe was then introduced and spoke about the importance of the traffic problem and assured the delegates that San Francisco and the board of supervisors would do everything in their power to assist. He was followed by Mr. Rostron, Chairman of the Board of Supervisors of Santa Cruz. Mr. Rostron stated that he drove a Ford coupe and sometimes he almost felt like a pedestrian among the other cars of larger type, at least he felt he was so treated. He was followed by Mr. Gardner of Marin, who in a general way told of the conditions prevailing in Marin Co.

The next subject taken up for con-

sideration was the question of collecting minor fines by the police department. Capt. Gleeson then told of the advantages of the system prevailing in Chicago where they have a uniform system of fines for minor infractions and the arrested party is not required to go to court but may pay his fine immediately to the traffic bureau. He stated that they had that system now in vogue in Los Angeles. Of course, it is purely optional with the person arrested as he cannot be deprived of his day in court if he demands it. Mr. John Hooper then took the floor and stated that in his opinion one of the most grievous conditions prevailing here in California was the fact that there appeared to be no age limit for automobile drivers, when he was reminded of the fact that the present law had a limit of fourteen years. The subject of uniform fines was again referred to and the idea was supported by Messrs. Cary, Heath, Locke and Schmidt. Mr. Heath called the attention of the meeting to the fact that they now have a traffic court in Los Angeles and it appears to work very successfully.

At this point of the proceedings the Chair again took the occasion to interrupt the program by nominating the following delegates to the committee on nominations: F. N. Jarvis of Mountain View, Chairman; L. D. Cary of Oakland, H. A. Zink of Palo Alto, R. C. Dorsey and Cleve Heath of Los Angeles.

Mr. Dorsey was then called upon to tell the meeting what the Los Angeles officials were doing in regard to the matter of traffic signals, especially with reference to the outlying districts. In response to the invitation, Mr. Dorsey in great detail then explained the experience they had with traffic control in the southern city, stating that they had abandoned the synchronization of traffic signals for progressive control whereby the signal at the block ahead might be raised a little earlier than in the block

below so as to conform to the movement of traffic.

Following the talk by Mr. Dorsey the Chair introduced Mr. McSheehy, who had just come into the council chamber. Mr. McSheehy is Chairman of the Finance Committee, and the Chair took the occasion to say that it was very important to treat him with respect for the reason that if they needed any money Mr. McSheehy was the man who could give it to them. Following Mr. McSheehy's address there was considerable discussion, more or less informal, relative to the arrangement for the meetings of the two committees, and after those matters had been settled the Chair declared the meeting adjourned to Saturday, July 17, 1926, at ten o'clock a. m.

SATURDAY MORNING SESSION, JULY 17, 1926

The meeting was called to order Saturday morning by Chairman Todd shortly after ten o'clock a. m. The Chair called for a reading of the Articles of Association which had been submitted by the committee. At the conclusion of the reading Mr. Gardner moved the adoption of the report as read, the same being seconded by Supervisor Rostrom. Upon the question being put Mr. Zink took the floor and expressed the opinion that perhaps it might be more advisable to defer permanent organization until another meeting could be called at which more of the southern representatives could be in attendance. He was followed by Capt. Gleeson, who said that it seemed to him that it was desirable to organize without delay so that work could be undertaken at once and the proposed ordinance be submitted to the Peace Officers' Convention and one or two other organizations which are to meet very shortly. Mr. Davis then called attention to the second paragraph of the Articles of Association relating to membership and pointed out the fact

that if adopted just as submitted, safety councils and other organizations interested in the enforcement of traffic regulations would be prohibited from participation. In the course of his remarks he also called attention to the fact that the very ordinance that had been approved was prepared in collaboration with the Automobile Association. Mr. Schmidt next took the floor and said that upon reflection he was disposed to approve the suggestion made by Mr. Davis. Mr. Rostron and Mr. Zink followed with similar statements, indicating that the principal object of the provision as submitted was to prevent the organization from falling into the hands of people who would be interested in the sale of certain kinds of devices. Thereupon it was moved by Mr. Schmidt, seconded by Mr. Rostron, that no manufacturer of devices for the regulation of traffic should be eligible to membership. Before the motion was put Mr. Locke arose and stated that he had incorporated the ideas suggested, which appeared to meet with unanimous approval, in an amendment to the second paragraph, which would allow the participation of private organizations providing they were not financially interested in the manufacture or sale of devices or signals connected with traffic regulation. The suggested amendment was adopted and this was followed by adoption of the Articles of Association as so amended, which read as follows:

Articles of Association of the California Municipal Traffic League

NAME

This Association shall be known as The California Municipal Traffic League

MEMBERSHIP

All public officers of California, state, county or municipal, whose duties relate to the making or enforcing of traffic laws, rules or regulations, also all organizations

so interested, shall be eligible to membership in the association; provided each private organization belonging shall not be entitled to have more than one representative or one vote; provided further, that no organization engaged in the manufacture or sale for profit of devices or signals for regulating traffic shall be eligible to membership.

OFFICERS

The officers of the Association shall be: President, Three Vice Presidents, Secretary, Executive Secretary, Treasurer.

The officers shall perform such details as usually attach to the offices named.

An Executive Committee shall be appointed at each meeting to be composed of the President, Secretary, and five additional members. Additional committees may be appointed for particular purposes.

MEETINGS

Meetings shall be held at such times and places as may be determined by the Executive Committee.

REVENUES

The various counties and municipalities shall be solicited to appropriate money to defray the expenses of the League to such an amount as may be necessary. All money shall be deposited with the Treasurer and paid out on the order of the Executive Committee or such sub-committee as may be appointed by such Executive Committee.

GENERAL STATEMENT

As the purpose of this organization is to promote the public welfare by securing uniformity in the adoption and enforcement of traffic laws and regulations, and the promotion of public safety in the use of public highways, the foregoing provisions shall be liberally construed and the League at any of its meetings may take such action as will best serve the purpose herein set forth.

* * * * *

Mr. Dorsey, Chairman of the Nominating Committee, was then called upon for a report from his committee. In response he stated that his committee was inclined to the opinion that the present officers should be retained until a statewide conference could be held, at which the whole matter could be taken up for final disposition and the full quota of officers provided for by the Articles of Association could be secured. After some discussion the conclusion was reached that the organization might be somewhat handicapped unless a full quota of officers was provided, even though they might be considered temporary or tentative officers, whereupon, on behalf of the committee, Mr. Dorsey then submitted the following report and moved its adoption. Said report reads as follows:

We, the undersigned temporary nominating committee, herewith submit the following recommendations for temporary officers of the Municipal Traffic League for the ensuing term:

President, C. F. Todd, San Francisco; First Vice-President, Frank Shaw, Los Angeles; 2nd Vice-President, W. B. Hogan, Stockton; 3rd Vice-President, J. P. Murphy, Fresno; Corresponding Secretary, Capt. H. Gleeson, San Francisco; Secretary, Wm. J. Locke, Alameda; Treasurer, C. J. Gardner, San Rafael.

Thereupon a motion was duly made, seconded and carried adopting the report. This was followed by receipt of the report of the committee on Uniform Traffic Ordinance, said report reading as follows:

REPORT OF COMMITTEE ON UNIFORM TRAFFIC ORDINANCE

Your committee appointed to present a uniform traffic ordinance herewith submits a draft of such a measure framed by Dr. Miller McClintock as being as complete as can be framed at the present

time, and recommends to this League that it give its approval thereto and that it recommend to the several municipalities and counties of the State that the same be adopted by them and provision be made for its enforcement.

Respectfully submitted,

(Signed): C. J. GARDNER,
G. ROSTRON,
WALTER J. SCHMIDT,
J. P. MURPHY,
ALFRED SEALE,
Committee.

Upon motion duly made, seconded and carried, the report was adopted.

The question of holding another meeting was then taken up and after some discussion it was decided by unanimous vote to hold the next meeting of the League in the Council Chamber of the City Hall in Fresno, November 18, 19 and 20, 1926.

This action was followed by the adoption of a motion that the Chair appoint a committee to attend the Peace Officers' Convention, the next Convention of the League of California Municipalities, and other organizations, and endeavor to secure their approval to the work.

Appropriate resolutions were then adopted thanking the Mayor and Board of Supervisors for the hospitality extended by them on behalf of the City of San Francisco. Resolutions were also passed thanking the press for their excellent work in reporting the proceedings of the meeting.

There being no further business to transact, the meeting adjourned to meet in Fresno on November 18, 19 and 20, 1926.

Respectfully submitted,
WM. J. LOCKE,
Secretary Pro Tem.



Congestion De Luxe---Do We Want It?

By C. A. DYKSTRA

Efficiency Director, Department of Water and Power, Los Angeles

Last month Daniel Turner wrote on the vicious circle of rapid transit and congestion with special reference to New York City. This month Mr. Dykstra discusses the same problem from the standpoint of Los Angeles' experience. And the east and the west have met, for without any collusion or conspiracy the two authors have arrived at virtually the same conclusions.

Confronting city fathers in all of our rapidly growing cities is a problem that is insistent and yet, under our prevailing philosophy of city planning, seemingly impossible of solution. It is the fact of increasing and ever increasing congestion, congestion de luxe. The physical result of this congestion is the slowing up of all transportation facilities and the consequent tying up of traffic. Any trucking concern will furnish astounding figures as to the time it takes for the delivery of materials in the built-up sections of our large cities. The human and social problems raised by this fact of congestion are no doubt even more important than the merely physical difficulties involved, but they are not so obvious and tangible. They impinge upon the congestion problem, however, and find some expression in the popular demand for more rapid transit.

The modern city is a result, in part, of certain well recognized economic, commercial and industrial causes. These have been discussed sufficiently in many places, but its physical difficulties and many of its congestion problems have not had so much attention. They are due, in some varying degree, to that business psychology and city planning attitude which believes in the so-called stabilization of the "business district."

This attitude is the result of a centralization complex which thinks in terms of higher and higher land values, heavier sales volumes, pedestrian counts, bigger rentals and finally, in order to carry such values, bigger and better skyscrapers. "Buy business frontage and insure your old age" is the slogan of an increasing number of investors. An amazing number of middlemen are busy tickling the speculative instinct of land buyers. The recent Florida exuberance is but an aggravated instance of what is going on in some proportion in our larger population centers all the time.

BUSINESS INTERESTS WHICH FAVOR CONGESTION

In order to maintain values in land, people in increasing numbers are essential. Therefore, the drawing power of the central district in great cities is tremendously important. It needs stimulating constantly. But the natural reaction of a population anywhere is to spread out in sub-centers, to build up small communities and business districts, to get the advantages of the city without its very apparent disadvantages. The centralizationist has to combat this tendency, make the business section more and more attractive and easier to get to, appeal to popular and local pride, advertise the advantages of trading downtown and, in a general way, arouse the interest and curiosity of the up-towner. A glance at the advertising of the great stores in any metropolitan daily and a peek into the show windows will furnish evidence on this point.

The pioneer of the old days has been transformed into the promoter of the

new age. The city is his oyster. The instinct for land—which once was a longing for acreage—is now a desire for close-in property. Income from land is the appeal. We all have it in a greater or lesser degree. Up to a certain point, this desire is no doubt wholesome, but there is a law of diminishing returns. The result after that point has been reached, is tremendously costly, both in money, and in social advantages. Mr. Mumford, in a recent article in *Harper's Magazine*, discusses this phase of the subject most admirably. Perhaps, unconsciously we have been led into certain habits of thinking which may end disastrously unless we can desist from artificial stimulation and lead city planning into a more logical, orderly and natural course once more.

At the present moment our cities are faced with a double barreled problem—mass transportation and the ever increasing individual transportation units which clog our streets and make our traffic congestion worse. The automobile now contests the surface of the street with the street car, and popular sentiment in many places demands that the street car give way and go underground or overhead. Automobile owners and drivers suggest that it would be a fine thing to take the street car off the streets and the street car rider is easily convinced that such a solution will shorten the time between the city and his home. Business interests who want bigger and bigger crowds downtown—who see in congestion not an evil but a great good—become the natural leadership in this seemingly natural and normal solution, the building of rapid transit facilities in subways.

Thus our congestion problem becomes at one stage the rapid transit problem and our engineers in many cities are submitting comprehensive subway and elevated plans to city councils and traffic commissions. Los Angeles, at the present

moment, is a case in point and illustrates rather completely the psychology above referred to.

THE SITUATION IN LOS ANGELES

Los Angeles has an incorporated area of more than four hundred square miles. Within a radius of six or seven miles its population density is still considerably less than that of the entire Chicago or Philadelphia district. It is basically a "single-family dwelling" city although apartment houses and flats are being built rapidly—too rapidly according to local occupation studies. The population is probably well over a million. The downtown streets are comparatively narrow and in one area badly handicapped by "Bunker Hill." It has a rapid transit system to the suburban cities, the Pacific Electric, which uses the streets to reach its terminals. Moreover it has the greatest density of automobile use of any population in America. The in-and-out count of motor vehicles, according to a recent survey, is very substantially heavier than in Chicago. Transcontinental trains enter the city at grade, and one street is used longitudinally by the Southern Pacific. The city lies between such areas as Pasadena, for instance, and the beach towns. During the rush hours street car transportation is slow, cars are crowded and sidewalks are choked.

To meet the situation thus roughly described, Kelker, DeLeuw and Company of Chicago have proposed a comprehensive plan of rapid transit and street car operation. This plan contemplates unified operation of all lines within the city, certain subways and elevateds and their financing by the city at large, the property benefited, and the car riders in a proportion to be agreed upon.

The argument for this or some other comprehensive plan is conclusive to many minds. It runs as follows: we stand in street cars miserably crowded; streets are

Union **D** Grade Asphalt



California State Highway between Davis and Winters, laid with 5" Union Grade "D" Asphaltic concrete in 1920 by A. Tuchert & Son, contractors. No maintenance to date, and the surface is still in first class condition.

Prominent city and highway engineers say that there are seven practical reasons why asphalt pavements are superior to other kinds. *Union "D" Grade Asphalt*, chosen by many, offers these advantages which are exclusive to this type of pavement:

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so choked that we could not use more cars if we had them; our streets are narrow and since it is too costly to widen them, let us create new streets under or over; we need comfort, speed and economy in transportation and we can get it by "mass transportation." From this point the argument becomes prophetic. The orderly development of the city requires the extension and expansion of present transportation facilities and the construction of rapid transit; the population needs spreading out, and rapid transit will turn the trick; since the rider cannot pay what the service will cost, the public must help finance the program in the interest of a great public benefit; high-speed operation is concurrent with the growth of great cities and is a sign of progress; we must begin soon or we never can catch up with the demand; the putting off of rapid transit construction will make this an intolerable city to live in.

BASIC ASSUMPTION QUESTIONED

A careful study of this whole argument will show that it proceeds upon assumptions which many will question. Is it inevitable or basically sound or desirable that larger and larger crowds be brought into the city's center; do we want to stimulate housing congestion along subway lines and develop an intensive rather than an extensive city; will rapid transit spread the population anywhere except along the new right of way; is it ultimately desirable to have an area of abnormally high land values with its consequent demand for the removal of building height restrictions; must all large business, professional and financial operations be conducted in a restricted area; must the worker be transported through the heart of the city to get to his work; as a matter of fact are not all of these assumptions, which were controlling in the past generation, being severely arraigned by thoughtful students?

A glance at the trend of the times

reveals other tendencies. In an era of centralization business itself is seeking outlets away from the central areas. Decentralization is not the word to use for this tendency, but for the purposes of this argument it will answer in so far as location is concerned. Branch banks are going out to the people, factories are seeking outside locations, neighborhood theaters are springing up all over the city and retail merchants are building, or have established or are contemplating, branch stores in outlying locations. Chain provision and drug stores are giving outside residents the advantage which traditionally is possible only in the department store.

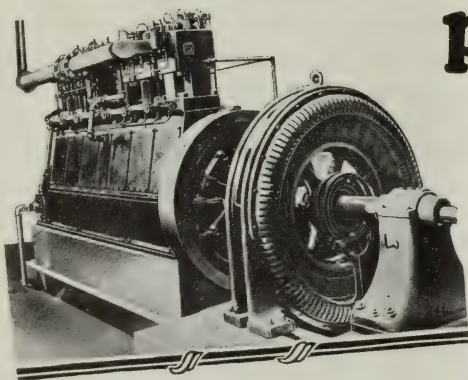
The Kelker-DeLeuw report for Los Angeles was carefully studied by a committee of the Los Angeles City Club. This committee came to certain conclusions as to the fundamentals involved in our rapid transit and traffic problems. It found that American experience shows that rapid transit increases rather than relieves congestion. Moreover such transit where subways are involved has not been a self-supporting venture. Thus the public pays for increasing its own congestion and multiplying its own problems. It involves a vicious circle of pedestrian counts to increase rental values, to raise building heights, to make room for more people to raise land values *ad infinitum*. The committee pointed out that cheap power, the universal use of the telephone, and the automobile are all subsequent to the development of American rapid transit systems and each has affected communication fundamentally. Traditional solutions must therefore be examined with great care. It suggested further that the city of the future ought to be an harmoniously developed community of local centers and garden cities in which the need for rapid transportation over long distances will be reduced to a minimum.

It found that only six per cent of the vehicles on the Los Angeles streets are street cars and that vehicular traffic is increasing. It ventured the assertion, therefore, that, in spite of any subway development, our vehicular congestion can only be solved by traffic regulation. Downtown streets no matter what their width probably will always be used to their capacity, for traffic will increase to the saturation point no matter what facilities are provided.

The committee took its stand for the elimination of all grade crossings and the taking of the interurban cars from the streets by the building of adequate elongated interurban terminals. It asked for a rerouting of the local street cars so that certain streets might be relieved of unnecessary traffic burdens. It insisted on more stringent parking regulations and recommended a serious study of the bus as a public transportation unit. As a

general conclusion the committee declared that Los Angeles should not—and certainly not at the present time—undertake any subway construction or rapid transit facility within the six- or seven-mile circle. It should perfect its interurban facilities, however, and work out its street and viaduct plans with all possible speed. It took its stand for a natural, normal and healthful expansion of the business district without the artificial stimulation which comes with the subway. Put in terms of conflicting interests the committee defended the outside business center idea as against the downtown theory. And it emphatically pointed out that there is no solution or cure for the rapid transit difficulty. Every attempt to cure brings on an aggravated case of the disease to be cured. One rapid transit line calls for a mate to help it out almost as soon as it begins to operate. It is inevitably thus; therefore

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why begin, particularly if there is adequate territory to care for a constantly growing population.

RAPID TRANSIT AND CONGESTION RELIEF

With this committee report the writer heartily agrees. The history of rapid transit development in American cities carries with it its warning to Los Angeles. The chief argument for rapid transit—congestion relief—is a delusion and a snare as far as sound city planning is concerned. A population can be spread out without rapid transit or street car facilities. The private automobile and the bus have turned the trick so far as transportation is concerned. The development of the motor truck and the availability of electric power for manufacturing will continue to decentralize the industrial district. There can be developed in the Los Angeles area a great city population which for the most part lives near its work, has its individual lawns and gardens, finds its market and commercialized recreational facilities right around the corner and which because of these things can develop a neighborhood with all that it means.

Under such conditions city life will

not only be tolerable but delightful—infinitely more desirable and wholesome than the sort induced and superinduced by the artificially stimulated population center which constantly must reach higher and higher into the air for light, air and a chance to see the sun. It will be a city in which children will not be discriminated against.

The problem here under discussion has had some attention from the White House. In a recent address in which he discussed congestion, high buildings, transit and traffic, President Coolidge said:

"It must be said that thus far the victories have all been on the side of the skyscrapers, the elevators and the ever-increasing congestion of population. Many difficult and costly readjustments must be made. There is need for concentrated, fundamental and courageous consideration of all the questions involved. They reach a hundred times deeper than the more superficial problem of getting streams of motor cars through city streets. They have to do with the elements of social organization. They concern vital phases of community welfare and progress."—*National Municipal Review*.

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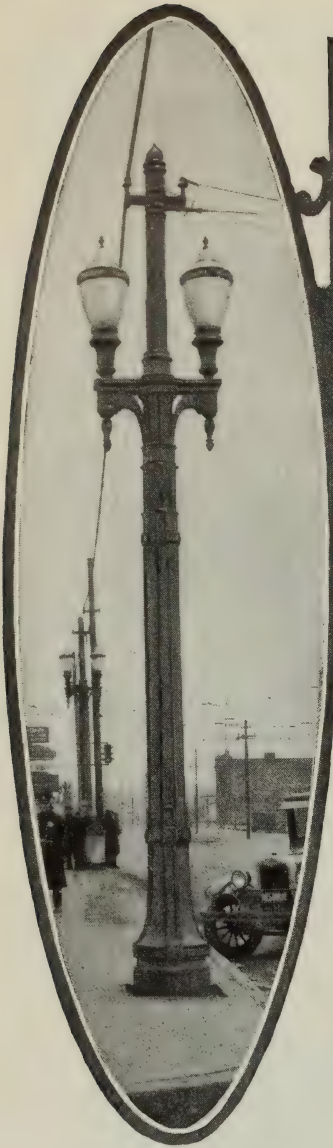
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To What Extent Should Business Areas Be Limited?

Paper by GEORGE H. COFFIN, JR.
President Los Angeles Realty Board

Before the City Planning Conference at Los Angeles, May 1, 1926.

I submit for your consideration a brief treatise on the subject of business areas, the substance of which was recently adopted by the Planning Committee of the Los Angeles Realty Board as part of their program of study and activity during the year 1926. I trust that certain of the conclusions which I have reached may furnish material for constructive thought for others whose interest is as sincere as my own in the vast subject of city planning.

In the year 1921 in the great northwest section of Los Angeles, there were 26,810 vacant lots, which represented 61 per cent of the area; the use then made of the remaining 39 per cent, or occupied area, was found to be as follows:

Thirty-three per cent devoted to private homes; 3 per cent devoted to multiple family structures, apartments, bungalow courts, flats and hotels; 1 per cent devoted to business purposes and 2 per cent to industrial usage, being principally the motion picture studios.

FIVE YEARS' SURVEY

Five years later a similar check was made in the same territory and it was found that where 61 per cent was unoccupied in 1921, that only 32 per cent remained vacant in the early part of 1926. The area occupied by single family homes had increased from 33 per cent to 47 per cent, an increase of 14 per cent. The area occupied by multiple family structures had increased from 3 per cent to 14 per cent, a net gain of 11 per cent. The area occupied by business had increased from 1 per cent to 5 per cent, an increase of 4 per cent, and that occupied

by industry had remained stationary at 2 per cent.

Grouping all residential usage together, we now find 61 per cent of the area occupied residentially compared with but 7 per cent in use for all business purposes. The above figures graphically illustrate the remarkable development of northwest Los Angeles. There were 12,520 new buildings erected in the five-year interval in that one section of our city. It is but natural to assume that with the 32 per cent vacant area in the territory ultimately fully utilized, that if business is permitted upon 7 per cent of the vacant area, the existing percentage applicable to the occupied territory, it should prove to be sufficient. In this same area today, 21 per cent of the frontage is already zoned for business purposes and no possible use has been found for over 7 per cent.

CURATIVE MEASURES NEEDED

In the whole territory under discussion, both vacant and improved property, there are 44,105 lots, of which 9,680 are in business classification and only 3,000 in use. If every residence and multiple structure lot were built upon, the demands upon the 6,665 vacant business lots would only absorb 1,585, leaving a surplus of over 5,000 parcels of property absolutely stagnant, which is nearly 9 per cent of the total area, meaning practically one lot in every nine vacant perpetually unless curative measures are adopted, because it has been placed in a zone classification for which it cannot be used. Here we face a tremendous economic waste—the dangerous prospect

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of having 5,000 lots in just one section of this city, each a 50-foot unit, idle, a total frontage of 250,000 feet.

The false belief entertained by the property owner that the placing of his land in the business zone actually makes business property out of it creates an equally false temporary value. It is most conservative to state that the average market value today of this particular 250,000 feet of frontage, now facing enduring idleness, is not less than \$500 per front foot, or \$125,000,000.

Overzoning of business, class "C," property within the city of Los Angeles will prove to be a great object lesson, as new contiguous areas are zoned, and cities unzoned will profit by the study of our experience.

BUSINESS AREA OVERDONE

I offer no criticism for the planning commission when I speak of this city as overzoned for business. Mr. Gordon Whitnall and the commissioners whom he has valiantly served, embarked upon an uncharted sea in the zoning of this city, and in the great majority of instances the commissioners were obliged to accept conditions as they had been established by an unguarded public which required the creation of zones according to existing use, or tendency for use, rather than according to judgment.

I regret to state that much criticism must be directly laid at the door of certain realtors and professional promoters who constantly seek the zoning of residential property for business in order that they may exploit it, pocket the false value created by the establishment of a business zone and depart, leaving a trail of depleted residential value in their wake. Such a practice is in direct conflict with the Realtor's Code of Ethics and the man who profits by such practice should be dealt with accordingly.

There is a strange psychology, not founded upon reason, which, up to a

certain point in city development, casts an apparent charm over property called business. The average citizen feels an inclination to insert his thumbs in the armholes of his vest and revel in the opinion that his particular possession zoned for business, is the real diamond, whereas his neighbor's lot zoned for multiple dwelling use or residential purposes is but imitation.

ZONING CANNOT PERPETUATE VALUES

Fundamentally, there is a natural, logical place in every city and its component parts for business, and the solid, enduring values are found existing in these logical sections. No amount of zoning can for any great length of time perpetuate false value in property not logically business.

The property owners who clamor the loudest to secure certain of our areas zoned for business will suffer most from their shortsightedness when natural development passes them by and leaves weeds of financial heartaches where legitimate income and advancing real estate values would otherwise have grown.

In my opinion it is unsound to permit business usage mile after mile on long major thoroughfares, just because a relatively few blocks on that artery happen to enjoy the fundamentals essential to business development. This tendency of long shoestrings of so-called business frontage robs the property not possessed of essential business qualifications of its natural productive use for apartments, hotels and other income-producing use permitted in "B" zone. The conservative investor who analyzes the project in which he places his wealth, would not undertake to hazard a large financial expenditure in a multiple family structure possessed of the knowledge that his investment might be ruined by the entrance of obnoxious types of business on the surrounding property.

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COMPACT DEVELOPMENT

Whether we are discussing the central business center of a great city, or the business sections of districts removed from the major shopping center, we should, in my opinion, encourage compact business development and discourage business zoning elsewhere in the community. Major traffic intersections should serve as the guide to locating compact business areas.

The long stretches of territory between compact business districts on principal arteries will then naturally develop with the type of apartment or hotel which the territory justifies, because of the protection afforded by proper zoning. Greater values will then attach to both classes of property, to-wit: The compact area wherein business is permitted and to the area wherein business is forbidden.

SHOPPER'S PREFERENCE

"Compact districts encourage shopping and elongated shoestring business streets discourage shopping." The reason for this is obvious: If the shopper elects to purchase a given commodity and fails to find the article sought at the first store entered, and if in close proximity there exist other stores carrying similar merchandise, then it is reasonably certain that the purchaser's money will be spent within the district; but if the shopper must go a mile to the next store and another mile to the third store, it is equally certain to discourage the most courageous shopper, and thereafter such purchases will be confined to business districts that are compact and therefore convenient. To illustrate: There is one prominent section in this city that needs large department store facilities, but no single store has been willing to enter the district unless assurance could be given that at least one other large department store would be located within easy walking distance, thus assuring the shopping

habit on the part of the residents of that community.

I have referred to the existing evil of long arteries zoned for business, but not suitable for that purpose. Much of this evil can yet be corrected by properly educating the property owners in sections where the encroachment of unjustified business structures has not as yet progressed to the point of permanent injury. These owners can, I firmly believe, be encouraged to apply to have their frontage removed from the business zone and classified for its proper use.

This principle of taxation according to permitted usage has recently been partially applied in a section of this city and the result is most encouraging. Owners of property in non-income producing areas have to a considerable extent ceased their clamor for inclusion in multiple or business zone, knowing the strong probability of materially increased taxation. Certain entire blocks have sought to be removed from the multiple zone and reclassified for single family homes.

"A" zone, residential areas, should never be disturbed by reclassification, until the pressure of natural growth of the income producing "B" or "C" zone areas forces the change.

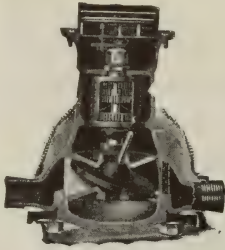
CENTRALIZED BUSINESS AREAS

Summarizing:

(1) I believe a careful study should be made of all classes of cities that can reasonably be considered to have attained their growth, and the percentage of used business frontage ascertained, and that percentage should be applied in zoning communities of similar areas in this state.

(2) I believe all business zoning should tend to centralize business in compact districts.

(3) I believe a definite relationship from a taxation standpoint should be established between properties in different zone classifications.



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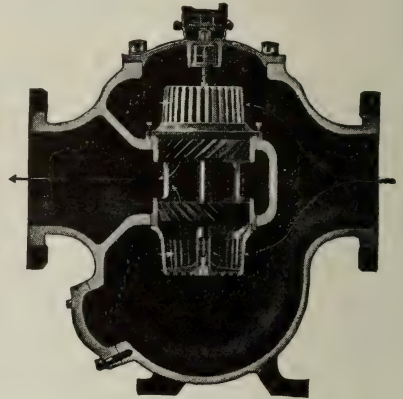
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(4) I believe much can be accomplished through educational channels to remedy existing evils in overzoned business territory.

I wish to acknowledge my appreciation to Mr. Gordon Whitnall of the City Planning Commission, for certain of the figures and percentages to which reference was made in my opening remarks.

In conclusion:

I believe that the realtors in this state will fail in their duty as constructive citizens of their respective communities unless they place their individual and organized power of cooperation at the command of properly constituted planning commissions.

Not only should the realtor assist in perfecting zoning plans, but when once adopted and approved, the voice of the realty boards should be plainly heard in the proper halls when selfish interests seek to change them.

DISCUSSION AFTER MR. COFFIN'S SPEECH

Question: I wonder if there are any fixed rules, in such a district as outlined, zoned for business, residence districts in what proportion have you found?

Mr. Coffin: The City Planning Commission here, as referred to in my opening remarks, have taken a tremendous cross-section of this city, comparing the situation that existed 5 or 6 years ago and now. It was found that about 5 per cent was in what you would call store property; other districts do not show as heavy a percentage of business as the one selected for the purpose of this discussion, but throughout the city it is generally found that less than 5 per cent of the total area is in use for business, whereas it so happens that in our city as a whole practically 40 per cent, I believe is correct, of the total area is in zone "C" or "D."

Therefore, I am suggesting that a check be made not only in this city, but

in other cities throughout the state so as to determine definitely the percentage of the total areas that are usually used for business, and also cities in other states that can naturally be assumed to be able to follow.

It is my opinion that once we have been able to ascertain, and it is not difficult to ascertain, that 4 or 5 per cent of an area of a given size we find can be ultimately utilized for business, then in that event I believe that that percentage should be applied in the zoning of a community throughout that state.

Question: Those proportions to apply to the city, or certain central areas?

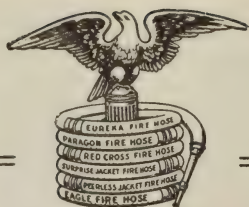
Answer: If you are speaking of the down town center section as against your outside districts, yes.

K. K. Knapp, West Hollywood: I want to ask if any thought had been given to separating or setting apart your streets; how far apart would those outside centers be located?

Answer: They would be located where they logically belong. You would not arbitrarily go out and set out a business district at a certain point, but at a major intersection you would have your business district, as I suggest, and block it out. If you would take some of our smaller districts, I would say a block east and west, and north and south from that major intersection would be permitted for business, the balance of the area between that and the next logical business intersection that business should be forbidden.

Question by E. D. Allen: The question was asked what percentage should be in business, we must take into consideration the class of city. As an illustration, Fresno, the largest city in the San Joaquin Valley, would require more business area than in Pasadena, close to Los Angeles, where most of the business is done in Los Angeles.

Answer: In Pasadena, 1/7 of the lots are in business zone, which is four times



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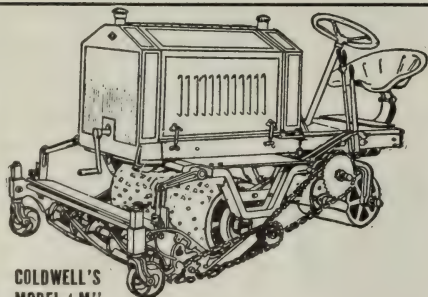
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too much. I remember the Planning Commission have been resisting that, and yet the people ruled. We fully recognize that it is too much business for that town.

Mr. Gordon Whitnall: One of the things to consider is the fact these practical questions cannot be measured with a universal yard stick. You have got to determine the thing according to the local situation. So far as I know the studies we now have under way are the first sincere effort to adequately find the facts on which to base and to answer that question. The gentleman from Pasadena calls to mind another fact, the impossibility of a universal yard stick when he relates that it is a fact that all cities as all parts of a given city, are not identical, and I think that many of our problems here in Los Angeles originated in the practice of too much copying what has been done elsewhere, so in a city we cannot adopt the universal interior yard stick, so we are now discovering in actual study locally more facts that probably will not be of actual value to you in other towns. So

if you propose, Mr. Chairman, and Mr. Coffin, that the Association undertake to see that the several communities throughout this state should make investigations that we may know the whole situation, then you will have made a contribution to our state and to the nation, so far as the future is depending upon zoning.

Mr. Cheney: The question has been raised that worries us more in zoning than any other question, and that is the attempt of property owners to declare all their property business. After making careful count of how many business properties there were in relation to dwellings, in most of the cities of the coast, I published a table in 1920 of accounts, made for the benefit from survey of the Telephone Company, which makes a survey of every town. We do the same thing when we zone a city, we make a careful survey first of the uses of property that exists and the number of business buildings. All up and down this coast, there are an average of 20 to 30 houses for every 50-foot lot of business. In other words you have to put in thirty new dwellings to make a good store succeed.

Welded Pipe Line Completed for City of Vallejo Water Supply

What is said to be the first completely welded pipe line in this country and the longest pipe line of its type, was recently completed for the city of Vallejo, California. This pipe line has a length of 22 miles and was built for the transmission of water from a new reservoir in the Gordon Valley to the City's Fleming Hill reservoir, just north of Vallejo.

The city of Vallejo is situated in Solano County, California, near the head of San Pablo bay, on the east shore of Mare Island Strait. It has a population of

26,000. The water supply is municipally owned and is secured from storage reservoirs in Wild Horse Valley, about 14 miles northeast of the city.

The growth of the city as well as the increasing demand of the Mare Island navy yard (supplied by the municipal system) made it necessary to increase the water supply materially. As a result, it was decided to develop the Gordon Valley project, involving the creation of a storage reservoir in Gordon Valley at a point about 26 miles northeast of the

city, and the installation of a pipe line to the city to connect with the existing municipal distributing system, a total distance of approximately 22 miles.

The pipe line is of steel-plate construction, all seams being electric-arc welded. The pipe is 22 and 24 inches in diameter, 15 miles being 24-inch and 7 miles, 22-inch pipe. Of the 24-inch pipe there are approximately 11 miles having a wall thickness of 3-16 inches and 4 miles of $\frac{1}{4}$ -inch material, whereas the 22-inch diameter pipe has a wall thickness of 3-16 inches.

The complete pipe line was built by the Western Pipe and Steel Company, using General Electric Welding Machinery. The total static head on the pipe varies from 100 to 400 feet, and all of the pipe was tested at the shop to 225 pounds pressure. A number of sections were tested to 325 pounds and a few, to 720 pounds pressure but no leaks developed in the welded seam.

Automatic electric arc welding was

used at the factory for making longitudinal seams for 14-foot sections of pipe. Two of these sections were joined together by means of a circular weld using semi-automatic equipment. The 28-foot sections were delivered in the field and several sections were welded together on the surface by hand welding before being lowered into the ditch.

The finished 22 miles of pipe was put under final test for 48 consecutive hours in the early part of March of this year. During this length of time the pipe was held under a pressure of 200 pounds per square inch at the lowest point in the line, and was found to be absolutely free from leaks. During the 48 hours of test the line was continuously patrolled and inspected at all points but no leakage was discovered.

During the time of filling the line, but one leak occurred in the straight seam in the entire length. Nineteen girth seams showed leakage or sweats out of a total of 8,200 girth seams in the entire length.

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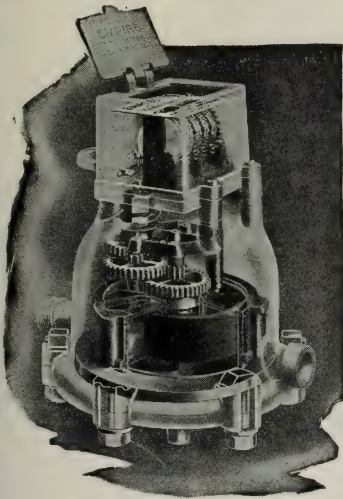
Of this total, 4,100 were field joints, hand welded, and the remaining seams were shop welded with semi-automatic welding equipment. The field welding equipment used consisted of several gas engine

driven, General Electric welding generators.

Following the final tests and inspection, the pipe was officially accepted by the city of Vallejo on April 2.



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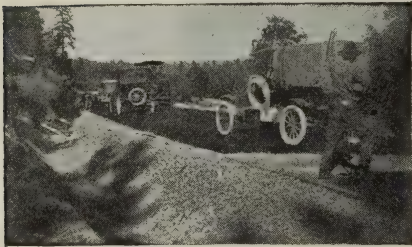
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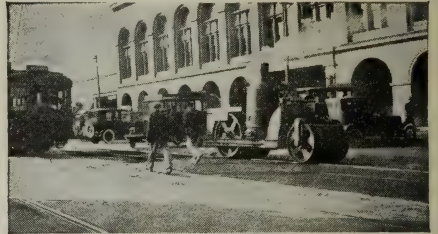
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Pacific Municipalities

A Monthly Review of Municipal Problems and Civic Improvements

OFFICIAL ORGAN OF THE LEAGUE OF CALIFORNIA MUNICIPALITIES



VERNAL FALLS, YOSEMITE VALLEY

LEADING ARTICLES IN THIS ISSUE

REPORT OF PROCEEDINGS OF THE 28th ANNUAL CONVENTION
AT YOSEMITE VALLEY, CALIFORNIA,
AUGUST 16th TO 19th, INCLUSIVE

OPENING ADDRESS OF PRESIDENT H. L. MOODY

DEVELOPMENTS IN METHODS OF SEWAGE DISPOSAL
By C. G. Gillespie, Director Bureau of Sanitary Engineering
California State Board of Health

Publication Office

707 Chancery Building, 564 Market Street, San Francisco, Cal.

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The Law of
ZONING

By **ROLLIN L. McNITT**

President, City Planning Commission, Los Angeles

Mr. McNitt's speech delivered at Yosemite Valley during the League of California Municipalities Convention is going to be published in pamphlet form, and be ready for distribution in a short time.

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Entered as second-class matter March 22, 1913, at the Post Office at San Francisco, California, under the Act of March 3, 1879.

VOL. XL TWENTY-EIGHTH YEAR No. 8

Editors.....H. A. Mason and Wm. J. Locke
Business and Advertising Manager.....H. A. Postlethwaite
Editorial and Business Office.....707-721 Chancery Building, San Francisco

Advertising Rates on Application

Address all Communications to "PACIFIC MUNICIPALITIES," Chancery Bldg., San Francisco, California

August, 1926

A. Carlisle & Co., Printers, San Francisco

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LEAGUE OF CALIFORNIA M U N I C I P A L I T I E S

Organized 1897

Affiliated with the Bureau of Municipal Reference, University of California

OFFICERS

President, Dr. JOHN J. SIPPY, District Health Officer, Stockton
 Secretary-Treasurer, H. A. MASON, Bond and Ordinance Expert of the City of San Francisco
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The League of California Municipalities maintains in connection with the Secretary's Office, a Bureau for furnishing city and town officials with information on municipal affairs, and loaning copies of new ordinances and specifications. Officials are urged to make a free use of this Bureau. Kindly send a self-addressed stamped envelope in all cases.

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Entered as second-class matter March 22, 1913, at the Post Office at San Francisco, California,
under the act of March 3, 1879.

THE MEETING AT YOSEMITE

According to the opinions expressed by many of the officials who attended, the meeting at Yosemite was a very successful one. The program was good, and the accommodations provided by the Yosemite Park & Curry Company were excellent.

Besides these, the housing facilities and the table at Camp Curry were all that could be desired. Among those who were fortunate enough to attend, the convention will long be remembered as one of the best and most important meetings of the league.

The program had been prepared, so far as possible, in accordance with the expressed wishes of the city officials taken from the returns of the ballots that had been sent out some two months before the date of the convention, which showed that zoning and kindred subjects were the most important problems now confronting the city officials. Accordingly this subject was given first place on the program, and provision made for discussing it from various angles.

In this connection it is interesting to observe that perhaps the most noteworthy feature of the convention was the paper delivered by Rollin L. McNitt, Dean of Southwestern University Law School and President of the City Planning Commission of Los Angeles entitled, "The Law of Zoning." This paper undoubtedly constitutes the most exhaustive treatise on the subject that has ever been written.

It is now being printed and will be distributed by the league in pamphlet form at an early date.

The next most important subject according to the ballot is the sewage problem, and it was treated as a symposium on the discussion of a paper delivered by Chester G. Gillespie, director of the bureau of sanitary engineering of the California state board of health, the title of the paper being "Recent Developments in Methods of Sewage Disposal." Mr. Gillespie was followed by Walter C. Roberts, director, Pacific Engineering Laboratory, San Francisco. The paper and discussion appear elsewhere in this issue.

As the special amusement feature of the convention, the Yosemite Park & Curry Company gave the delegates a barbecue one evening on the banks of the Merced River about a mile below Camp Curry. The barbecue was followed by community singing, accompanied by Guzzendorfer's band, and concluded with an Indian war dance in full Indian costume around an immense camp fire, the dance being put on by the Yosemite Indians living in the valley.

Another feature of the meeting was the fight waged for the next convention between San Bernardino and Sacramento. The delegates from the southern city, led by Mayor Holcomb, were on the ground early and provided the incoming delegates with cigars. The Sacramento

delegates, on the other hand, brought along a lot of tags in the shape of a little bear. The fight was very close and the result was in doubt up to the last moment, Sacramento winning the convention by a majority of six votes. When the result became manifest Mayor Holcomb of San Bernardino moved the vote for Sacramento be made unanimous, promising, however, to be at Sacramento next year with a more potent form of persuader for San Bernardino.

The health officers section broke one of their unwritten rules at this meeting by

indulging in the political game. Led by Dr. W. B. Wells of Riverside they put up a job to secure the presidency and were successful. A touch of humor was added to the situation in the report of the nominating committee by Mr. Denton who stated that the committee was prompted to choose Dr. Sippy of Stockton because he always brought his wife with him and therefore had a whole state behind him. The results of the convention will unquestionably prove of great benefit to the cities of California and the cause of better government.

REGISTER OF ATTENDANCE

(Indexed by Cities)

Alameda, H. R. Collins, Guest; Mrs. H. R. Collins, Guest; P. J. Dodd, Guest; Burnett Hamilton, City Engineer; Mrs. C. E. Hickok, Guest; Miss Beverly Hickok, Guest; Clifton E. Hickok, City Manager; Dr. A. Hieronymus, Health Officer; Jos. B. Kahn, Supt. Board of Public Utilities; Mrs. J. B. Kahn, Guest; Wm. J. Locke, Executive Secretary; Mrs. Wm. J. Locke, Guest; Dorothy McMaster, Guest; Florence McMaster, Steno. League Cal. Muni.; C. L. Traver, Councilman; Mrs. W. E. Varcoe, Guest; W. E. Varcoe, City Clerk and Pur. Agent. **Albany**, Lovett K. Fraser, City Attorney. **Alhambra**, Guy S. Archer, City Commissioner; Chris Campbell, President of Commission; M. E. Carroll, City Commission; Mrs. M. E. Carroll, Wife of Commissioner of Supplies; W. R. Harmon, Contractors Association of Southern Cal.; M. H. Irvine, City Manager; J. L. Mills, Commissioner Public Works; Mrs. Albine P. Morton; Mrs. W. W. Nuzum, Guest; W. W. Nuzum, Comm. of Public Safety; Mrs. F. I. Stone, Guest; R. B. Wallace, City Auditor & Clerk; Mrs. R. B. Wallace, Guest. **Amador City**, Dr. G. L. Lynch, Health Officer; Mrs. G. L. Lynch. **Anaheim**, A. W. Franzen, Trustee; Mrs. A. W. Franzen, E. P. Hapgood, City Engineer; Mrs. E. P. Hapgood, Guest; Geo. F. Holden, City Attorney; J. W. Price, City Manager; Neil Price, Guest. **Arcadia**, A. N. Multer, Chairman City Council; G. B. Watson, City Engineer. **Atwater-Merced**, Wm. C. Colton, Health Officer. **Bakersfield**, Mrs. F. S. Benson, Guest; F. S. Benson, City Councilman; Mrs. P. J. Cuneo, Guest; P. J. Cuneo, Health Officer; J. Holfelder, Asst. City Eng.; R. H. Hubbard, Bldg. Insp.; Elmer Martin, Councilman; James Ogden, City Manager; L. K. Stoner, Mayor; V. Van Riper, City Clerk. **Berkeley**, Carol Aronovici, City Planner; Miss Lulu L. Case, Bacteriologist; Dr. Walter M. Dickie, Secretary State Board of Health; John N. Edy, City Manager; Mrs. John N. Edy, Guest; C. G. Gillespie, Emma N. Hann, City Clerk; M. E. Jaffa, Director Bureau Food & Drugs, Cal. State Board of Health; J. H. Jamison, Budget Officer; Mrs. J. H. Jamison, Guest; Wilfred H. Kellogg, M. D., Director, State Hygienic Laboratory; Alma Kirchhoffer, Chief Nurse, Berkeley Health Center; Mrs. Bernedette Lester, Chief Clerk Health Dept.; C. S. Mudge, Bacteriologist, U. of C.; Mrs. Ednah Shuey Parker, R. N., Public Health Nurse, Berkeley Health Center; R. W. Pilling, Asst. City Manager; Mrs. W. P. Shepard, Guest; Mrs. Vernon Smith, Guest; Vernon A. Smith, City Planning Commission; Frank D. Stringham, Mayor; Mrs. Frank D. Stringham, Guest; Ida May Stevens, Asst. Epidemiologist, State Board of Health.

Beverly Hills, Jack C. Albers, City Engineer; Mrs. Jack C. Albers, Guest; Mrs. M. J. Eynon, Guest; Richard C. Waltz, City Attorney. **Big Pine, Inyo County**, H. W. Crook, M. D., County Health Officer. **Biggs**, Mrs. B. Caldwell, Guest. **Bishop**, Miss Orpha Newcomer, Public Health Nurse. **Boston, Mass.**, Miss Mary MacInnis, Guest. **Brawley**, O. May Juvenal, City Clerk. **Brea**, Albert Launer, City Attorney; Mrs. Albert Launer, Guest; F. G. Boxall, Street Supt.; Mrs. F. G. Boxall, Guest. **Burbank**, J. T. Lapsley, City Trustee; Mrs. M. B. Lapsley, Guest; Theodore R. Mein, City Engineer; Mrs. Theodore R. Mein, Wife of City Engineer; Mrs. Lora Vale Mitchell, Guest; James H. Mitchell, City Attorney; Russell B. Mullin, City Trustee; Mrs. Russell B. Mullin, Guest; John Nielsen, Trustee; Mrs. J. Nielsen, Guest; John Nielsen, Guest; Cary O'Steen, City Controller; Mrs. Cary O'Steen, Guest; J. D. Radcliff, Mayor; Mrs. J. D. Radcliff, Guest; Earl L. White, City Planning Comm. **Burlingame**, James S. James, City Engineer; Mrs. James S. James, Guest; R. L. Stone, Trustee; Mrs. R. L. Stone, Trustee; H. A. Totten, Trustee; Mrs. J. M. Vickerson, Guest; J. M. Vickerson, Guest. **Campbell**, D. A. McQueen, Guest; Mrs. D. A. McQueen, Guest. **Carmel**, Mrs. W. L. Tower, Guest; Wm. L. Tower, Pres. Board of Trustees. **Chino**, Dr.

W. C. Miller, Health Officer; Mrs. Harold R. Miller, Guest; Harold R. Miller, M. D., Guest. **Chula Vista**, W. H. Peters, Pres. Board of Trustees; Mrs. W. H. Peters, Guest. **Clovis**, James E. Pendergrass, M. D., City Trustee. **Coalinga**, L. A. Buchanan, City Clerk & Eng. **Colton**, Sam E. Andrews, Chairman of Board. **Colusa**, R. E. Button, Park and Building; Mrs. R. E. Button, Guest; Geo. W. Desrosier, M. D., City & County Health Officer; Mrs. G. W. Desrosier, Guest; Addison Jacobson, Utility Man; H. Jacobson, Fire & Electric; B. L. McCue, City Clerk; Mrs. B. L. McCue, Guest; Oscar Robinson, Mayor; Mrs. Oscar Robinson, Guest; D. T. Stowe, Water Commissioner; Mrs. Dave Stowe, Guest. **Compton**, C. A. Dickison, Mayor; C. A. Parrish, City Manager. **Corona**, Dr. W. S. Davis, Health Officer; Mrs. W. S. Davis, Guest; Miss A. M. Davis, Guest. **Coronado**, Captain T. H. Messer, City Manager. **Covina**, A. M. Pence, City Attorney.

Delano, J. F. Krebs, Trustee; Scott G. Ladd, City Clerk. **Dinuba**, Edgar Brigham, M. D., Health Officer; H. W. Ensign, Supt. of Streets; Stanley Fullard, City Marshal; W. J. Minville, City Attorney & City Clerk. **El Cerrito**, W. W. Fraser, M. D., Health Officer. **El Segundo**, Peter E. Binder, Pres. B. of T.; Mrs. Alfred C. Cannon, Guest; Alfred C. Cannon, Councilman; John A. Gerow, Councilman; A. R. Gunn, Street Supt.; Victor D. McCarthy, City Clerk; Mrs. Victor D. McCarthy, Guest. **Elsinore**, S. J. Brimhall, M. D., Health Officer; C. J. Kalina, City Clerk. **Exeter**, Mrs. W. B. McWhorter, Guest; W. B. McWhorter, Water Supt. **Firebaugh**, C. T. McDonald, City Clerk. **Fort Bragg**, Fred Duffey, Street Supt. **Fresno**, J. L. Broad, Capt. Detectives; E. H. Coleman, M. D., Deputy Co. Health Officer; William Glass, Commissioner of Finance; Andrew M. Jensen, Commissioner of Public Works; G. L. Long, Health Officer; J. P. Murphy, Captain of Police; W. L. Scales, Sanitary Inspector; George F. Sharp, Legislative Com.; Dulcie M. Sharp, Guest; Georgina M. Sharp, Guest; Mrs. G. F. Sharp, Guest; A. L. Sunderland, Mayor. **Fullerton**, W. J. Carmichael, City Trustee; W. C. Record, City Manager. **Glendale**, J. W. Charleville, City Manager; P. J. Hayselden, Pres. Glendale City Planning Comm.; John F. Johanssen, City Engineer; C. E. Kimlin, Councilman; S. C. Kinch, Councilman; Mrs. MacBain, Guest; Harry MacBain, Mayor; E. M. Miller, Health Officer; Mrs. Charles B. Murphy; H. C. Saulsberry, Controller; Leslie R. Tarr, Asst. City Attorney; W. F. Tower, Councilman; A. V. Van Wie, City Clerk. **Glendora**, Mrs. Eva R. Demott, Guest; Arthur E. Demott, City Engineer; E. F. Underhill, Councilman. **Hanford**, Dr. E. C. Bond, Kings Co. Health Officer; Mrs. E. C. Bond, Guest; Catherine Bond, Guest; Rosalind Bond, Guest; Ada M. Buckridge, County Nurse, Kings County; Frank B. Graves, City Attorney; Mrs. F. B. Graves, Visitor; L. V. Lucas, Mayor; Mrs. L. V. Lucas; Rosetta McGrail, City Public Health Nurse. **Hayward**, Dr. F. W. Browning, Health Officer; Mrs. F. W. Browning, Guest; Nelson E. Clemens, Milk Inspector; Mrs. N. E. Clemens, Guest; Flavia C. Prentiss, Executive Nurse; Mrs. Prentiss, R. N., Executive & Health Center; Mrs. R. L. Rogers, City Trustee; Mrs. E. Zambeisky, Guest. **Healdsburg**, Archer B. Stuart, City Engineer. **Huntington Beach**, Chas. G. Boster, President of Board; C. R. Furr, City Clerk.

Inglewood, Mrs. Otto H. Duelke, Otto H. Duelke, City Clerk; Earl G. Stoops, Trustee; Mrs. Earl Stoops, Guest; Marjorie Woodworth, Guest; Flora M. Woodworth, Guest; Clyde Woodworth, City Attorney. **Jolon**, Frieda Miller, Guest. **King City**, F. P. Feliz, City Attorney; Mrs. L. Hables, Guest; Leslie Hables, City Trustee; Mrs. W. C. Hamilton, Guest; W. C. Hamilton, Trustee. **Kingsburg**, Dr. E. A. Larson, Health Officer. **La Habra**, J. G. Launer, Pres. Board of Trustees; Mrs. J. G. Launer; Glenn Launer; Paul D. Pratt, City Engineer. **Larkspur**, Belle C. Brown, Town Clerk; Mrs. J. D. McKenna, Guest; Leonard Peeks, Guest; Mrs. M. Peeks, Guest. **Lemoore**, C. V. Buckner, Mayor; Mrs. C. V. Buckner, Guest; Laurie Buckner, Guest; Mrs. Lucy Kreyenhagen, Guest; J. C. Poindexter, Trustee; Mrs. W. H. Sanborn, Guest; W. H. Sanborn, Trustee; Mrs. W. H. Sanborn, Guest; W. W. Sheahan, City Clerk and Assessor; Mrs. W. W. Sheahan, Guest; Margaret Sheahan, Guest; L. S. Stepp, Trustee; E. W. Weiler, Trustee. **Lindsay**, Mrs. E. V. Bogart, Guest; E. V. Bogart, City Clerk; Annie L. Bond, M. D., Physician, Health Officer. **Livermore**, Mrs. M. M. Biggs; Mrs. Reba D. Clark, Guest; F. C. Lassen, Mayor; Mrs. F. C. Lassen, Guest. **Lodi**, L. F. Barzellotti, City Engineer; Mrs. L. F. Barzellotti, Guest; W. A. Spooner, Mayor; Mrs. W. A. Spooner, Guest. **Long Beach**, Alexander Beck, Councilman; Earl C. Bracken, Representing City Auditor's Office; Ralph Callahan, Sanitary Inspector; Miss Dortha Davis, Guest; Mrs. Charles M. Davis, Guest; Mrs. Jessie G. Dow, Guest; Dr. G. E. McDonald, Health Officer; J. E. Mackie, Chief Bldg. Insp.; Bruce Mason, City Attorney; Mrs. Bruce Mason, Guest; M. Taylor, State Dairy Comm.; Catherine Taylor, Dairy Comm.; Ralph L. Taylor, M. D., Director of Sanitation; Mrs. R. D. Van Alstine, Guest; R. D. Van Alstine, City Engineer.

Los Angeles, Mrs. F. T. Abram, Exhibitor—Portland Cement Association; Florence Ames, P. H. N., State Board of Health; Mrs. J. T. Anderson, Pres. Woman's City Club; Lulu Becker, Guest; Miss Ray Bent, Guest; Ernest F. Bent, Exhibitor, Bent Concrete Pipe Co.; J. S. Burdge, Engineer, Downen Bros. Co.; E. M. Burns, M. D., Dist. Health Officer, Los Angeles Co. Health Dept.; Dr. J. P. Bushing, Dairy Inspector; Mrs. J. P. Bushing, Guest; Nora Chapman, Guest; Mrs. C. J. Colden, City Council; C. J. Colden, Councilman; Frances M. Crane, Guest; Frank N. Crane, Asst. Civil Engineer; Mrs. F. J. Demott, Guest; Mrs. F. J. Demott, Guest; Paul A. Diehl, Consulting Engineer; C. H. Diggs, Harland Bartholomew—City Planning and Landscape Engineers; C. U. Duckworth, Dir. Div. Dy. Prod., L. A. County Health Dept.; Daird R. Faries, Vice Pres. Traffic Commission; Fred F. Foster, Sales Manager—Bent Concrete Pipe Co.; Mrs. Fred F. Foster, Guest; Elisabeth Foster, Guest; Peirson M. Hall, Councilman; William Harnisch, Milk Inspector; Cleveland Heath, Deputy Chief of Police; Horner, A. C., Portland Cement Association; Mark D. Howlett, Milk Inspector; J. D. Huddle, L. A. Traffic Com.; Margaret Hyatt, Guest; Mrs. G. F. Hyatt, Guest; G. F. Hyatt, Exhibitor—Bent Concrete Pipe Co.; C. E. Johnson, Westinghouse Electric & Mfg. Co.; Rose Katz, Guest; E. M. Keef, Supervisor—Bureau Dairy Control—Dept.

Agent; Mrs. E. M. Keef, Guest; M. W. Kiff, Bacteriologist; A. M. Kivari, Exhibitor—The Dorr Co.; Mrs. A. M. Kivari, Guest; A. Labanck, Guest; Jones, Leeile, Sec. L. A. County Assoc.; Robert Linton, Pacific Clay Products; Miss Alberta Lynch, Guest; D. S. McFarland, Exhibitor—Neptune Meter Co.; A. L. McLouth, Milk Inspector; Jennie McLouth, Guest; Lee McNitt, Guest; Rollin L. McNitt, Pres. City Plan Commission; R. A. Maddox, Auto. Sewer Flusher; Dan B. Martin, H. S. Crocker Co., Inc.; H. H. Matthieson, Sanitary Engineer; Everett W. Mattoon, County Counsel—Los Angeles Co.; Mrs. Everett W. Mattoon, Guest; J. Ira Moysse, Bacteriologist; Miss Florence Mullin, Guest; Allen H. Nye, Neptune Meter Co.; Hugh R. Pomeroy, Sec. Regional Planning Commission; Frances M. Pomeroy, Guest; Mrs. Giles S. Porter, Guest; Miss Betty Porter, Guest; Giles S. Porter, M. D., 1st Asst. Health Officer; Mrs. John R. Prince, Guest; John R. Price, G. W. Roberts, Inspector Health Dept.; R. Robertson, Warren Bros. Co.; Dr. J. W. Robinson, Diagnostician; Mrs. M. Rosenberger, Guest; M. Rosenberger, Jr., Guest; Dr. M. Rosenberger, Manager Stock Farms; Geo. H. Roth, Diagnostician; Dr. Elisabeth Saphro, Director Child Hygiene; Chas. N. Shaw, Supervisor Inspector Health Dept.; Chester A. Smith, Consulting Engineer; Mrs. Chester A. Smith, Guest; Fred. Smith, Guest; Dr. F. V. Stone, Director of Laboratories, Los Angeles County; F. D. Sweger, Director, Sanitary Bureau Health Dept.; Pettis Tanquary, Guest; C. C. Taylor, Investigator City Council; Dr. Gavin J. Telfer, State Dist. Health Officer; Mrs. E. A. Van Trump, Guest; E. A. Van Trump, The Elliott-Horne Co.; Wm. Veit, V. M. D., City Veterinarian; E. R. Waggoner, Pacific Clay Products; Mrs. E. R. Waggoner, Pacific Clay Products; C. E. Wantland, Peoples Anti-Single Tax League; Mrs. L. M. Watson, Guest; L. M. Watson, Street Lighting Engineer, Westinghouse Elect. & Mfg.; Mary S. Whitnall, Guest; Gordon Whitnall, City Planning Director; Hubert Whitnall, Guest; Dr. Maud Wilde, Director Mather's Educational Center; Shirley Wilson, Asst. Council Secretary.

Manteca, A. L. Locke; Mrs. A. L. Locke; Albert Locke, Jr.; J. M. Luck, Trustee; J. M. Luck, Jr.; Clarinda J. Luck; Shirley Luck. **Mariposa**, H. H. Carleton, Sec. Mariposa County Chamber of Commerce; James G. McDaniel, Assisting Health Officer; Mrs. John L. McDaniel; John J. McDaniel M. D., Health Officer, Mariposa County. **Marysville**, J. H. Barr, M. D., Health Officer for Yuba City & Yuba Co. **Merced**, John Czerny, Street Supt.; A. R. Linn, City Planning Commission; Anna Sousa, Guest; A. D. Stevenot, Guest; C. R. Thompson, City Trustee; Mrs. L. J. C. Wegner, Guest; L. J. C. Wegner, City Trustee. **Mill Valley**, Mrs. C. J. Gardner, Guest. **Minnesota**, A. J. Chesley, State Health Officer. **Monrovia**, Lewis P. Black, City Clerk-Assessor; E. A. Bovee, Assessor & Tax Collector; Ernest C. Crump, City Trustee; Mrs. Ernest C. Crump, Henry S. Gierlich, City Engineer; C. R. Jones, Pres. City Plan. Commission; Arthur J. Little, City Trustee; Mrs. Arthur J. Little, Guest; Miss Eleanor Little, Guest; Merle Little, Guest; H. F. Scoville, City Manager. **Montebello**, Paul G. McIver, City Attorney. **Monterey**, R. M. Dorton, City Manager; L. D. Lacey, Pres. City Planning Committee; Horace Langdon, Councilman. **Monterey Park**, P. F. McCallin, Pres. Board of Trustees; Arthur E. Redding, Trustee. **National City**, A. J. Addis, Councilman; Mrs. A. J. Addis, Guest; Alex. Murray, Mayor; Mrs. Alex. Murray, Guest. **Newman**, W. H. Tinnin, Chairman Board of Trustees. **Newport Beach**, R. S. Briggs, Auditor; Frank L. Rinehart, Street Supt. **Oakland**, D. A. Bourne, Asst. Treas. Warren Const. Co.; Claude T. Faw, California Corrugated Culvert Co., of Cal.; Dick Grant, Warren Bros. Co.; Robt. E. Jones, Manager Pacific Slope Dairy Show.; Lee Shirar, Exhibitor, Warren Bros.; Dr. Chas. C. Wing, Asst. Health Officer. **Ojai**, **Ventura Co.**, A. L. Drown, Mayor. **Ontario**, F. N. Davidson, Sanitary Inspector; O. S. Roen, City Service Mgr. **Orange**, Idabel Durgan, Deputy Health Officer. **Oroville**, B. Caldwell, M. D., County Health Officer, Butte Co. **Oxnard**, S. G. Bennett, City Engineer, Dr. A. A. Maulhardt, Ventura Co. Health Officer; Mrs. A. A. Maulhardt, Guest.

Pacific Grove, Wm. Ryan, Supt. of Streets. **Palo Alto**, Mrs. D. W. Brener, Guest; R. W. Byxbee, Assistant City Engineer; J. F. Byxbee, City Engineer; Frank Cramer, Deputy Assessor; M. H. Hare, Board of Works; Mrs. M. H. Hare, Guest; Paul O. Hare, Guest; A. C. Hobart, Mayor and Councilman; Mrs. Hobart, Guest; Paul Livesay, Sec. to Mayor; Mrs. Livesay, Guest; Norman E. Malcoln, City Atty.; Louis Olsen, Health Officer; Mrs. Louis Olsen, Guest; F. V. Sering, Auditor; W. E. Tomson, Dairy & Food Inspector; Mrs. W. E. Tomson, Guest. **Pasadena**, W. C. Earle, City Engr.-Supt. of Streets; Warren F. Fox, M. D., Health Officer & City Physician; Mrs. Warren F. Fox, Guest; Robert Bradford Fox, Guest; Roscoe R. Hess, Asst. City Attorney; Mrs. Roscoe R. Hess, Guest; C. F. Huddleston, Chief Milk, Food & Sanitary Insp.; Mrs. C. F. Huddleston, Guest; F. C. Marshall, Chief St. Inspector; Dr. G. H. Miner, City Veterinarian; Mrs. G. H. Miner, Guest; R. V. Orbison, City Manager; Mrs. R. V. Orbison, Guest; Phyllis Orbison, Guest; George H. Wood, City Controller; Miss Ruby Wood, Guest. **Petaluma**, W. L. Sales, Mayor. **Pittsburg**, S. V. Cardinali, Councilman; D. Frankel, Councilman; Mrs. D. Frankel, Councilwoman; Arnold Linscheid, Mayor; Eddie Linscheid, Visitor; R. A. Watkins, City Manager; R. N. Wolfe, City Attorney; Mrs. R. M. Wolfe, Guest. **Placerville**, Dr. S. H. Rantz, Health Officer; Mrs. S. H. Rantz, Guest. **Pomona**, Mrs. J. E. Adamson, Acting Mayor; Arthur L. Barlow, Milk Inspector; E. F. Fontaine, M. D., Dist. Health Officer; Mrs. E. F. Fontaine, Guest; Fred C. Froehde, City Engineer & St. Supt.; T. R. Trotter, City Auditor & Clerk. **Porterville**, A. F. Kessing, Councilman. **Redlands**, R. C. Phelps, Guest; Mrs. R. C. Phelps, Guest; Dr. W. E. Phelps, City Veterinarian; Mrs. H. J. Phelps, Guest. **Redwood City**, H. A. Beeger, Chairman Board Trustees; Mrs. W. B. Cuman, Guest; Mr. J. J. Garland, Dairy Inspector, San Mateo Co.; Albert Mansfield, City Attorney; W. A. Price, City Clerk; Mrs. W. A. Price, Guest. **Reedley**, A. Shaw, Purchasing Agent. **Richmond**, Dr. Chas. R. Blake, Health Officer; M. A. Chandler, Mayor; John I. Collins, Councilman; Mrs. J. I. Collins, Guest; E. J. Garrard, Councilman; Edward A. Hoffman, City Engineer; Mrs. E. A. Hoffman, Guest; Mrs. Marie L. Ogborn, Guest; J. H. Plate, Councilman; Mrs. J. H. Plate, Guest; Robert R. Root, City Veterinarian; Frank A. Scholes, Councilman; Mrs. Frank Scholes,

Guest; H. H. Turley, Improvement Assessor. **Riverside**, C. H. Fay, Inspector of Ornamental Lighting Service; W. B. Wells, Health Officer. **Roseville**, F. R. Chilton, City Clerk; Mrs. F. R. Chilton, City Clerk.

Sacramento, H. E. Ball, State Dept. of Agriculture; Mrs. H. E. Ball, Guest; H. P. Bonnikson, Market Milk Specialist, State Dept. Agriculture; H. C. Bottorff, City Manager; Mrs. H. C. Bottorff; R. E. Conley, Councilman; Mrs. R. E. Conley, Guest; Patricia Conley, Guest; William Conley, Jr. Councilman; Miss B. C. Darrah, Guest; Jas. S. Dean, City Architect; H. G. Denton, City Clerk; J. J. Frey, Chief, Bureau Dairy Control, Calif. Dept. Agri.; R. B. Giffen, Chairman, Planning Board; Gillihan, Allen F. M. C., Calif. State Board of Health; Francis H. Gillihan, Guest; D. J. Harrison; L. W. Hayes, Asst. Secretary, Chamber of Commerce; Mrs. L. W. Hayes, Guest; M. E. McDonald, Dept. of Agriculture (State); Dr. C. L. Megowan, Food Inspector; Mrs. C. L. Megowan; John H. Miller, Councilman; Edna Porter, Guest; R. L. Shinn, City Attorney. **Salinas**, S. F. Butler, Health Officer; Mrs. S. F. Butler, Guest. **San Anselmo**, Miss Butler, Deputy Sheriff; Carl W. Clark, Health Officer; Miss Farrell, Constable; Donald E. Perry, Assessor & Manager, Sanitary Dist. No. 1; Sturgis B. Whitwell, Recorder. **San Bernardino**, S. L. Combs, Councilman; Dr. F. L. Dewolf, City Food Inspector; H. G. Hansen, Building Inspector; Grant Holcomb, Mayor; Grant Holcomb, Jr., Guest; C. E. Johnson, City Engineer; Lois A. Johnson, Guest; C. E. Johnson, Jr.; S. C. Lawrence, Bond Clerk; Dr. M. Lestrangle, Civil Service Commissioner, Mr. M. Lestrangle, Guest; Wm. M. Lustrange, Guest; R. H. Mack, Sec. Chamber of Commerce, City Planning Com.; John H. Osborn, Clerk; Mrs. J. H. Osborn, Guest; Harry S. Webster, City Library Board; Mrs. Harry S. Webster, Guest; C. C. Wood, Budget Officer. **San Bruno**, H. A. Postlethwaite, Asst. Sec., League of Cal. Mun. **San Diego**, V. Bruschi, City Councilman; W. H. Cameron, Purchasing Agent; Kenneth Gardner, City Planner; A. M. Leseur, M. D., Health Officer; Mrs. A. M. Leseur, Guest; John A. Held, Councilman; John T. Kean, Pres. Planning Commission; F. A. Rhodes, Manager of Operations; H. R. Thorp, Dep. City Attorney; Mrs. M. R. Thorp, Guest; James W. Williams, Consulting Engineer; Allen H. Wright, Past President of League.

San Fernando, H. R. Decker, City Attorney; Mrs. H. A. Decker, Guest; Howell McDaniel, Jr.; I. A. Swartout, City Clerk. **San Francisco**, Geo. L. Avery, Sales Manager, American La France Fire Engine Co. of California; Mrs. Geo. L. Avery, Guest; Mrs. Anna B. Avery, Guest; John Badaracco, Supervisor; J. R. Barker, Neptune Meter Co.; Theo. R. Boyer, Veterinarian; Joseph L. Bury; Stephen Child, Consultant in City Planning; R. F. Conlisk, Dist. Illuminating Engineer, Westinghouse Electric & Mfg. Co.; C. J. Deasy, Supervisor; A. F. Eagle, Cal. Dairy & Milk Inspector; R. J. A. Edwards, Rep. Foster & Kleiser Co.; Alexander Fleisher, Asst. Sect. Metropolitan Life Ins. Co.; Mrs. N. R. Gaines, P. H. N.; A. J. Gallagher, Supervisor; Miss E. F. Giltner, Guest; L. C. Grant, Rep. Foster & Kleiser Co.; C. H. Halliday, Epidemiologist, St. Board of Health; Dr. Wm. C. Hassler, Health Officer; Dr. John S. Hay, Bacteriologist; J. Emmet Hayden, Supervisor; Guy P. Jones, State Board of Health; Clyde C. Kennedy, City Engineer, Dunsmuir, Ross, Ft. Bragg, Yuba City, Mt. View, Morgan Hill; Mrs. Clyde C. Kennedy, Guest; Carolyn Kennedy, Guest; Mary Jean Kennedy, Guest; Richard Kennedy, Guest; Robert Kennedy, Guest; Franck Laine, Westinghouse Elec. & Mfg. Co.; Mrs. Carl E. Laye, Guest; H. A. Mason, Secretary-Treasurer; G. L. Melody, Cal. Dairy & Milk Inspector; Wm. E. Moore, Secretary; Ben. D. Mulligan, Court Reporter; Mrs. Ben D. Mulligan, Guest; Charles D. Murphy, Exhibitor, Gladding McBean Co; Wm. O'Neill; Billy Patterson, Guest; C. A. Raslan, Salesman, Neptune Meter Co.; Walter C. Roberts, Director Pacific Engineering Laboratory; Mrs. W. C. Roberts, Guest; Warren Shannon, Supervisor; W. P. Shepard, Metropolitan Life Ins. Co.; F. A. Silver, Dairy Bacteriologist; C. L. Smith, National Ice Cream Co.; Stuart S. Smith, Machinery Merchant; Ellen S. Stadtmuller, M. D., Director Bureau of Child Hygiene Calif. State Board of Health; Mrs. I. A. Swartout, Guest; Chas. Todd, Supervisor; H. E. Torgersen, Dairy Inspector; Wm. M. Tudor, Manager Public Safety, Calif. State Auto Assoc. **San Jose**, A. G. Bennett, Councilman; Mrs. A. G. Bennett, Visitor; Joseph T. Brooks, Councilman; Mrs. Joseph T. Brooks, Guest; H. C. Brown, Health Officer; S. A. Chapman, Field Eng. Portland Cement Assoc.; Arno Doerr, Guest; Fred Doerr, Councilman; Mrs. Fred Doerr, Guest; Robert Doerr, Guest; Mr. C. B. Goodwin, City Manager; Mrs. C. B. Goodwin, Guest; John J. Lynch, City Clerk; Mrs. John J. Lynch, Guest; D. W. MacNair, Milk & Dairy Inspector; Mrs. D. W. MacNair; Guest; M. V. MacNair, Guest; T. K. MacNair, Guest; Lyle R. Ohlsen, Sewage Disposal; Wm. L. Popp, City Engineer, Dr. Wm. Simpson, Health Officer of Santa Clara Co.; Roy E. Walter, City Auditor. **San Leandro**, Arthur M. Carden, City Attorney; E. F. Hutchings, City Clerk-Auditor; Herbert L. Landis, Pres. Board of Trustees; Mrs. Herbert L. Landis, Guest; Avis M. Landis, Guest.

San Luis Obispo, Dr. K. H. Sutherland, County Health Officer; Mrs. K. H. Sutherland, Guest. **San Mateo**, Charles N. Kirkbride, Past President; Mr. A. B. Maguire, Guest; Mrs. A. B. Maguire, Guest; Oscar F. Weissgerber, City Manager. **San Rafael**, C. J. Gardner, Chairman, Board of Supervisors, Co. of Marin; Wm. Farrington Jones, M. D., City Health Officer; J. H. Kuser, M. D., Health Officer Marin County; Eugene W. Smith, City Clerk and Assessor; Mrs. E. W. Smith, Guest; Miss Florence Smith, Guest. **Santa Ana**, W. W. Chandler, Chief Sanitary Insp.; Orange Co.; Mat H. Neff, City Engineer & Street Supt.; Dr. V. G. Presson, Health Officer. **Santa Barbara**, H. J. Laux, Exec. Sec. Plann. Comm. **Santa Cruz**, Worth A. Brown; S. A. Evans, City Clerk & Treasurer; James K. James, City Eng. & St. Supt.; N. L. Patterson, Commissioner of Streets. **Santa Maria**, Mrs. York Peterson, Guest; York Peterson, City Engineer. **Santa Monica**, Chester L. Coffin, City Attorney; Mrs. Chester L. Coffin, Visitor; F. A. Helton, Commissioner of Finance-Treasurer-Clerk-Assessor; Bertha L. Helton, Manager of Comm. of Finance; John A. Morton, Com. of Public Works; H. Ivor Thomas, City Auditor. **Santa Paula**, Mrs. A. L. Drown, Miss Arley Mott. **Santa Rosa**, Geo. R. Cadan, Council; E. J. Helgren, Health Officer; J. P. Over-

ton, Mayor; Paul T. Quarry, M. D., County Health Officer, Sonoma Co.; F. C. Steiner, Councilman; Frank Weston, Supt. Streets; F. G. Whitehead, Field Veterinarian. **Sausalito**, Charna G. Perry, M. D., Health Officer. **South Pasadena**, Frank H. Clough, Assistant Engineer; Robert M. Lawson, City Auditor; A. E. Stockburger, City Manager; Mrs. A. E. Stockburger, Guest; Miss Essie Lee Stockburger, Guest. **Signal Hill**, George H. Cooper, City Clerk. **Sonoma**, Lyle F. Campbell, Guest; Mrs. Lyle F. Campbell, Guest. **South San Francisco**, J. W. Coleberd, City Attorney; F. A. Cunningham, Chairman Board; A. J. Eschelbach, Trustee; Rod. Tibbets, Trustee.

Stockton, A. L. Banks, City Clerk; O. C. Fursman, Standard Oil Co.; W. B. Hogan, City Engineer; Henry C. Jackson, Chief Inspector; John J. Sippy, District Health Officer, San Joaquin Health Dist. **Sunnyvale**, N. E. Wretman, City Attorney; Mrs. N. E. Wretman, Guest. **Taft**, Mrs. Ida Hart Graham, City Auditor; C. A. Williams, Mayor; Nellie L. Williams, Guest. **Te-hachapi**, Ferd Snyder, Jr., City Clerk; Mrs. Ferd Snyder, Jr., Deputy Assessor; Miss Gretchen Snyder, Guest. **Torrance**, Perry G. Briney, City Attorney; T. F. Foley, Trustee; Mrs. T. F. Foley, Guest. **Tulare**, W. J. Andrews, City Manager; C. W. Cobb, City Clerk & Auditor; Mrs. C. W.

Cobb, Guest; J. L. Cobb, Guest. **Turlock**, A. P. Ferguson, City Clerk. **Upland**, E. C. Mehl, City Clerk; Mrs. E. C. Mehl. **Vallejo**, Geo. Hildreth, Auditor; T. D. Kilkenny, City Engineer & Supt. Sts. **Ventura**, Thos. H. Meilandt, City Clerk, City Assessor & City Recorder. **Visalia**, Mrs. H. E. Cowie, Guest; E. I. Feemster, City Attorney; Mrs. E. I. Feemster, Guest; A. W. McWhinnie, Tulare County Sanitary Inspector; B. J. Pardee, City Manager. **Watsonville**, F. A. Callaghan, Alderman; Mrs. P. A. Callaghan, Guest; Mrs. R. L. Dempsey, Guest; C. B. Lewis, Councilman; Mrs. C. B. Lewis, Guest; M. M. Swisher, City Clerk; Mrs. M. M. Swisher, Guest; H. C. Weisenburger, City Bldg. Inspector. **Whittier**, M. R. Bowen, City Engineer; Mrs. M. R. Bowen, Guest. **Williams**, Mrs. Frances M. Rhodes, Guest. **Yuba City**, Mrs. J. H. Barr; T. D. Peery, Health Officer of Sutter County; Richard Walton, Mayor; Mrs. R. Walton, Guest. **Yosemite Natl. Park**, Claude H. Church, Health Officer.

Memorial on Death of Hon. D. J. Hall

It came as a shock to city officials when word arrived of the passing of Hon. Daniel J. Hall, former Superior Judge of California, but more intimately known as City Attorney of Richmond.

He had the saving grace of kindness and his genial smile is missed this year from the Convention Halls.

An able attorney, he had the willingness to help others and his wise counsel was welcomed at many a sitting of his fellow attorneys.

An honest man, his influence upon society in his different places of abode has already made itself felt in California and will live after him.

We mourn the sudden illness which took him from us.

Our sympathy goes out to his widow and family.

We commend his example to other city attorneys and city officials.

We note the fact that his life and work and good deeds have helped to place municipal administration and also the administration of justice in California upon the high plane which they hold.

A copy of this memorial will be sent the widow of the deceased.

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Memorial adopted by the City Attorney's Section of the League of California Municipalities in Annual Convention assembled at Yosemite Valley, August 18, 1926.



Opening Address of President H. L. Moody

Gentlemen:

In calling to order the twenty-eighth annual Convention of the League of California Municipalities, I am not unmindful of the splendid work our organization has accomplished in the past. Our cities have progressed in a most satisfactory manner until today we point with pardonable pride to the many changes for good government that have been brought about through the unselfish devotion to civic duty of the public servants we are pleased to designate as the city officials.

During the life of this League we have cast into almost utter oblivion that undesirable, unpatriotic individual known as the "Ward Heeler." Boss rule in our cities is a thing of the past. Partisan politics have been eliminated, and today graft among city officials is the exception and not the rule.

In place of the open saloon we have established the civic club, parks, playgrounds, and recreation centers. We have adopted sanitation in its most scientific advances; purified our water supplies, paved our streets, adopted the latest approved fire-fighting apparatus, builded our charters to meet the ever changing conditions. Our health activities are so ably cared for by our Boards of Health that communicable diseases, infant mortality and other menacing conditions are kept in control. With the decrease of infant mortality the span of life has been lengthened and progress of the race assured.

It has been truly said that "the City is the rock upon which civilization rests." I congratulate you on the splendid achievements in the past. However, we must not sit supinely by and think our work is finished. Many and varied

problems of municipal government confront us. We are here gathered to study and improve our institutions to meet the demands of the times. Dangers and pitfalls surround us and, as "eternal vigilance is the price of liberty," so is a strict adherence to civic righteousness, common honesty and obedience to constituted authority the foundation upon which our future security rests.

At the time when Lord Bryce observed that the administration of cities was the most conspicuous failure in American history he was right, but today if he could survey the situation from an unprejudiced standpoint, I am sure he would say as did Professor Munroe of Harvard University a few months ago that America is now furnishing the world with its best laboratory of municipal experimentation. Europe has as much to learn from us in this branch of popular government, as we now may learn from Europe. It was not so a generation ago, and the fact that the situation has so changed may be looked upon as a tribute to the striking progress which our American cities have made in the structure of their governments, in their administrative machinery, and in the efficiency of their business methods during the past quarter of a century. Municipal expenditures in the past were chiefly made for the immediate present, whereas the modern city not only tries to care for the confronting welfare of its citizens but for its future citizens as well.

Students of economics agree that municipal governments follow the law of increasing costs, and the business of raising vast sums of money necessary to meet municipal needs is becoming more difficult and vitally important. The financial needs of the rapidly growing cities of our

beloved state are increasing faster than wealth or population. The requirements of any growing city are always several laps ahead of its income. The more popular governments become the greater the cost. Our cities are confronted by increasingly pressing demands. Our people demand and insist on more service, better service, service which assuredly costs more money.

The more our cities grow and develop in population, area and industry, the more complicated its problems become. The rural population is moving to the cities, and there are no indications of abatement. Consequently the continued growth of cities is to be expected. Neither is there indication that popular demand for additional municipal service is slowing down. Complaint against increasing Municipal costs is widespread, while the popular clamor for new financial obligations for current operation and financing of capital projects is almost resistless. It has been truly said that "no supernatural power is required to see that further development of the race depends largely on the degree of perfection we attain in solving many problems which confront city administration today." The fate of democracy will hang in the balance until city problems, both governmental and social as well as financial, are mastered.

Our citizens collectively and individually are sponsoring new civic enterprises, some of which tend toward idealism, but which are in no wise essential to the general welfare. Our city councils are often besieged and overwhelmed with propaganda in support of various and sundry propositions for expenditures of public funds; the time is rapidly approaching if not already at hand when the acid test of efficiency in municipal government will be the ability of those in charge to withstand these onslaughts in behalf of this or that project, which although desir-

able in many cases, would not result in benefits commensurate with the expense involved.

The problem of obtaining sufficient municipal revenue to meet the needs of the present as well as the future looms larger day by day. How are we to meet this demand without overburdening the tax payer? These are questions of most vital importance, and must be met and solved.

You public servants before me today are in a sense the guardians of the life, liberty and property of your constituents, and the demand is upon you to so administer the affairs of your community that exact justice will be done and adequate protection given to all, with the least possible cost commensurate with efficient service.

We are stressing splendid programs for the betterment of civic conditions, as is evidenced by a glance at the subjects to be discussed at this conference. Planning and building not so much for the present as for generations to come. We want posterity to enjoy to the fullest extent the labors of today and their fruits. We want to bequeath to them a great and glorious heritage, a vision fulfilled.

What are we doing to properly train and prepare the youth of today to intelligently perform the duties of citizenship of tomorrow? The physical, mental and moral education is most excellently cared for by the curriculum of our schools, the Boy Scout movement and the R. O. T. C. or military training, but how about his training in civic affairs? Ask your boy what he knows about the great question of municipal government; his relationship and responsibility toward the great needs of the hour and you will find that his training along this line is woefully lacking. You may plan, you may build, you may perfect the structure of government today until that edifice will be near ideal; but unless you pass on this priceless heritage

to those well trained and fitted to take up the work where you leave off that sacrifice and effort will have been for naught.

I feel that this League can do a great work in stimulating the interest of our boys and girls in the high schools, and I recommend for your serious consideration a plan that is not new, but that has been in successful operation in the state of Kansas for some considerable length of time. It is this. Let the League offer a suitable prize for the best essay written by a High School student, to be submitted to a committee selected by this organization, on a subject related to municipal government. The cost will be very little and the benefits to those who enter the competition will be priceless. If you feel kindly toward this suggestion to stimulate interest and so far as may be fit our coming generation to take up the work and improve upon it where we leave off, I would be honored in being permitted to offer a permanent cup prize to be given to the High School winning this contest three times. I recommend that this League appoint a committee to work out the details of this plan, and to secure the co-operation of our school authorities. The cup to which reference is made will be (presuming you coincide with the idea) my personal contribution, an earnest of faith in what I feel assured may be accomplished.

In the year 1911 there came into being in California as you well know a Railroad Commission with its constitutional powers of rate regulation. This was the result of a demand from all sections of the state to relieve the people from the grasp of corporations and utilities. The theory was advanced and brought to life by this constitutional amendment that the people would secure relief from the oppressive control and activities of corporations by having the power to regulate rates placed in hands of a body appointed by the Governor, with authority vested in such

body to determine whether or not changes made by public utilities corporations were fair, not only to the corporation but to the people whose duty it was to pay such charges. I regret to state that this theory today must be confessed a complete failure.

In 1911 the corporations with their great wealth fought bitterly to prevent the adoption of the Railroad Commission amendment. Today the most staunch supporters, the strongest advocates, the sincerest friends of the rate regulating commission are the corporations who but so few years ago fought so strenuously against the adoption of the Railroad Commission amendment.

And why has this come about? Because the Railroad Commission has proven to be the friend of the corporation and not of the people.

Perhaps we can not blame the various members who have constituted the personnel of the Railroad Commission since 1911 for this condition. It may be that it is due to conditions far beyond the control of the individual members of such body. It must be admitted that the powers of the Railroad Commission have been severely limited by lack of funds to properly investigate or conduct its investigations. The result has been that in hearings for fixing rates the corporations have been qualified and prepared to make portentous showing that could not be successfully combatted by the other side, namely, the people. Underpaid and overworked attorneys representing municipalities have done their best to stem the onrushing tide of increasing rates, and they have failed. This failure has been due, not to the efforts and limitations of such attorneys, but because of their inability to properly prepare an opposing case.

Besides this, the natural trend of events has been such as to make it easy for the Railroad Commission to decide in

favor of the corporations and against the interests of the people. Where the evidence is all on one side of a case, and where no showing to the contrary has been made, there is little left for the judge who must pass upon the question to do other than to render a verdict in favor of the preponderance of testimony.

But the whole system is and has been wrong. It is wrong because the theory of regulation is to protect the people. In practice it has protected and fostered the corporations. For example, in the City of San Diego in 1911 telephone rates for residential purposes averaged \$1.50 per month. Today the same use and service can be obtained by paying an average price of \$3.50 per month. One of the greatest percentages of increase in utility charges known to history.

The ferry rates on San Francisco Bay from Oakland to San Francisco in 1911 were ten cents per passenger. Today the fare is fixed by the Railroad Commission at twenty-one cents, with fine prospects of an increase to twenty-five cents in the near future.

Shall we tolerate this condition longer? Shall we continue to submit to the ever-increasing burden placed upon us by these utility companies? If not, what shall be the relief which we must demand? Shall we abolish the Railroad Commission? Or if not, shall we curtail its power? Shall we place the rate-fixing power back into the control of the Cities? Or shall we take that only other known remedy Public Ownership? I know not the method to be followed. I do know that something must be done, and that the rights of the people must be protected.

This League of Municipalities is the greatest moving force in the State of California today. The influence of two hundred and fifty-two cities combined in one union to protect the rights of their inhabitants is so great that it may secure any result which it seems wise to obtain.

These California cities united as we are today have within their grasp the weapon with which to right every wrong imposed upon the inhabitants, and have secured to them the safeguards to which they are entitled.

My friends, it is up to you. The time has come when it is your duty to act. It is your duty first to consider, and having considered and determined your policy, to move and with expedition. Standing together, no power is great enough to repulse your attack, no force is powerful enough to prevent your reaching the end you seek. I am a firm believer in the adage that "RIGHT MAKES MIGHT." I believe this cause is a just one, therefore I do not hesitate to urge you to show in the people of the State of California that this League of Municipalities is organized for the purpose of securing for the State of California better government for the benefit of its people. That it is alert and active for what it believes to be the right principle; and that in support of this principle it is willing to launch a crusade which can and will end in but one result, the complete overthrow of a dominating, blood-sucking, rate-increasing octopus that is crushing the life out of the people of this state by the ever reaching tentacles of greed, and that this monster, supported as it is by legalized regulation, must die.

I have already occupied too much of your valuable time. In closing permit me to extend to you my sincere appreciation for your help and co-operation, loyalty and service during the past year. It has indeed been a pleasure to labor with such estimable gentlemen as your Secretary-Treasurer, and executive Secretary, Mr. Mason and Mr. Locke. To these gentlemen you owe more than to any others the success and efficiency of the League of California Municipalities. I hope you appreciate them as I do, and that you will keep them on the job for life.

Following Are the Resolutions Which Were Adopted At the Convention.

WHEREAS, the Supreme Judge on high has called to eternal rest our esteemed fellow citizen and jurist, the late Thos. J. Lennon, be it

RESOLVED, as the sense of this convention that in the death of the late Thos. J. Lennon, the state of California has lost a faithful and devoted public servant and a jurist whose life record will stand as an example for emulation.

RESOLVED, that the executive secretary be and he is hereby instructed to publish these resolutions in the league's official organ and send another copy to the family of the deceased jurist.

WHEREAS, the Swing Johnson bill providing for the Boulder Dam project is the most constructive internal improvement measure now pending before Congress, and will prove of the most profound and far reaching benefit to the State of California; and

WHEREAS, this project was delayed in Congress until the next session, due in large part to the active opposition of private power interests, and

WHEREAS, it is imperative that this project have the sincere support and active aid of the entire State of California and all its public officials, to the end that vast stretches of desert be reclaimed and a million horsepower of electrical energy be developed for public distribution;

THEREFORE, BE IT RESOLVED, That the League of Municipalities in convention assembled, again endorses the Swing-Johnson bill, and calls upon all the public officials of California, State and Federal, to lend their untiring aid toward the passage of this bill at the next session of Congress.

RESOLVED, that the California League of Municipalities hereby endorses

and urges the passage at the coming session of the legislature, of the legislation embodied in the Bill which was introduced and failed of passage at the last session of the legislature, commonly referred to as the Metropolitan Water District Bill.

WHEREAS, it has been the custom in the past and it is the law and practice of the League of California Municipalities that each Section of the League has been represented on its executive committee and,

WHEREAS, the City Managers Association of California for some time has been a duly organized and legally constituted section of the aforesaid League of California Municipalities and are not now or have been represented on the executive committee of said League and whereas it is the desire and wish of the City Managers Section, justly to be represented on said Executive Committee,

NOW THEREFORE, be it resolved by the City Managers Section of said League of California Municipalities that the said League be requested to enlarge its executive committee, if necessary to provide a place thereon for a representative of the City Manager Section of said League and that said representative thereon from year to year shall be the City Manager elected as President of said City Managers Section.

WHEREAS, the growing congestion of population in California and its waste producing industries are making it impossible to dispose of sewage and mixed sews age and factory wastes without polluting the waters of the State and causing gross nuisances, and

WHEREAS, the knowledge does not now exist as to how industrial wastes

alone, or mixed with city sewage, can be treated economically, or at all, and

WHEREAS, the reclamation and beneficial use of purified sewage water and mixed industrial waste and its fertilizer resources are urgent in this State, and

WHEREAS, the climate and stream flow of California introduce peculiarities to our problem of sewage and waste treatment, and

WHEREAS, the investigation needed to determine economical and satisfactory modes of treatment of sewage mixed with such factory wastes affect a wide range of industries, for example, canneries, creameries, cheese factories, citrus by-product plants, slaughter houses, reduction plants, fish product plants, olive pickling works, sugar plants, molasses distillation plants, and

WHEREAS, the investigations needed are beyond the ability and resources of any one city or groups of cities to finance.

NOW THEREFORE, BE IT RESOLVED, that the League of California Municipalities urges the enactment of legislation establishing a sewage and industrial waste commission to carry on investigation and make reports upon economical and satisfactory ways of treating sewage and trade wastes along the lines set forth in Assembly Bill No. 1215 of the 1925 Legislature.

WHEREAS, City and Regional Planning and Zoning have become major problems in the majority of cities and counties, members of the League; and,

WHEREAS, especial interest has been shown in such problems during the present meeting of the League; and,

WHEREAS, it is believed that continued interest will justify the organization of a permanent division upon City and Regional Planning,

NOW, THEREFORE, BE IT RESOLVED, that a permanent division on City and Regional Planning be, and the

same is hereby created as a department of the League.

Adopted: by City Planning Conference held Wednesday, and presented to Committee on Resolutions with the hope that favorable report may be made to the League by that Committee.

There were 51 delegates present at the Conference, representing about 20 cities.

WHEREAS, a temporary organization known as the California Municipal Traffic League was recently formed at San Francisco for the purpose of taking measures to provide for uniform traffic regulations throughout the state,

AND WHEREAS, a second meeting has been called to assemble at Fresno, November 18th, 20th, 1926, to form a permanent organization and make provisions for framing the necessary measure or measures required therefor, at which meeting this league has been invited to participate, now therefore be it

RESOLVED, by the League of California Municipalities in 28th annual convention assembled, that this organization endorse said traffic league and the proposition of uniform traffic regulations, and to that end that the municipalities be and they are hereby requested to send representatives to the proposed meeting at Fresno for the purpose of assisting in the preparation and adoption of such uniform traffic regulations.

WHEREAS, a weed commonly known as the puncture weed has become prevalent throughout the State of California, and,

WHEREAS, the existing law authorizing municipalities to take certain legal proceedings in order to abate the same is tedious and cumbersome and in a measure serves to defeat the purpose for which it was intended; Now, Therefore,

BE IT RESOLVED, that the legislative body of the League of California

Municipalities be and it is hereby requested to prepare and present to the next Legislature of the State of California suitable amendments to said existing law, for the purpose of simplifying the procedure required to be taken for the abatement of said weeds and making the cost and expense of the same a lien upon the property.

RESOLVED, that this Convention does hereby endorse the viewpoint expressed in the address of President Moody with reference to the inefficiency of the Railroad Commission of the State of California, occasioned by the inadequacy of the funds at the disposal of the said Commission which has resulted in an inability on the part of the Commission to properly investigate issues arising between the citizens of the State and the utility corporations, and it is the sense of this Convention that the policy which now exists of hampering the work of the Railroad Commission be changed or that steps be taken by the next Legislature looking toward the reconstruction of the public utility laws in order that the said Commission may be able to efficiently perform the functions for which it was created.

RESOLVED, that it is the sense of this convention that the exhibits of Municipal machinery and supplies are a valuable adjunct to the annual conventions, and the exhibitors are commended for their efforts in making their displays as educational as possible.

RESOLVED, further, that at all future conventions at least one hour during the convention shall be allotted to the exhibitors for a review of their displays, during which time no meetings shall be in session.

BE IT RESOLVED, by the League of California Municipalities in convention

assembled, that the certain act of the Legislature of the State of California, entitled: "An act limiting the liability of supervisors, city trustees, city councils, boards of education and school trustees, and making counties, municipalities and school districts liable for the negligence of their respective officers in certain instances and providing for the payment of costs of actions in certain instances," approved June 13, 1923, is unsound in theory, and inequitable in fact;

AND BE IT FURTHER RESOLVED, that the League of California Municipalities respectfully urges its repeal by the Legislature at its next session.

NOTE—The foregoing resolution was referred to the legislative committee without recommendation.

RESOLVED, that this Convention hereby approves the suggestion of President Moody that a prize be offered by the League of California Municipalities to the High School student writing the best essay on municipal government, and the Executive Committee of the League is hereby authorized and directed to provide for a competition along the lines suggested by President Moody.

RESOLVED FURTHER, that the thanks of the league be extended to President Moody for his kind offer of a silver cup as the first prize under this proposition.

WHEREAS, there is to be submitted to the voters of California at the general election next November, a proposition, known as Proposition Number 4, under the terms of which it is proposed to increase the present gasoline tax from two cents to three cents.

AND WHEREAS, under this measure all of the proposed increase, which will amount to between eight and ten million dollars annually, is to be devoted to the construction of state highways.

AND WHEREAS, more than $\frac{3}{8}$ of the motor vehicles owned and operated in California are owned in the cities of the state and operated primarily on the streets of these cities all of which are constructed and maintained by the cities and their citizens by taxes or assessments upon their property, which taxes and assessments are in many cases necessarily extremely heavy in order to care for traffic which frequently is of little, if any, benefit to the property owners taxed or assessed therefor.

AND WHEREAS, the proposed measure while making provision for an ever expanding system of state highways, wholly ignores the much more pressing problems of the financing of city street construction and maintenance and the relief of the ever increasing traffic congestion on city streets and not only ignores the glaring inequities in the distribution of the taxes received from motor vehicle owners which now exists under the present laws, but is so drawn as to render it impossible for the legislature to alter the situation in so far as the proposed increase is concerned during the next twelve years.

AND WHEREAS, the available sources of revenue from taxation would be seriously, if not wholly depleted, by the proposed measure without making any provision for city streets either now or in any near future.

AND WHEREAS, the constitution of California provides that the expenses of state government should be borne from taxes on the gross receipts of public utility corporations so that proposed gasoline tax increase is, in effect, a relief from taxation of such corporations and a placing of this burden of paying for the cost of state highway construction on the individual motor vehicle owners as well

as of maintaining them as at present and who might otherwise be justly asked to contribute to the cost of city streets.

NOW, THEREFORE, BE IT RESOLVED, by the League of California Municipalities in regular session assembled at its annual convention held in Yosemite Valley, August 16 to 20, 1926, that this League discourages any legislation which does not equitably protect municipalities in the distribution of State Highway Funds and inasmuch as proposition No. 4, on the November ballot does not so provide, we recommend additional legislation be enacted to correct the above situation; and be it further resolved that copies of this resolution be sent to every municipality in California in order that its citizens may be advised as to the views above expressed.

RESOLVED, that the thanks of this Convention, be and they are hereby extended to the city officials of Merced and the many organizations and individuals who have contributed to the convenience and entertainment of the convention and its members at the meeting now closing. Particularly are we grateful to the Chamber of Commerce of the City of Merced and its efficient Manager, Mr. A. R. Linn, and his staff and assistants; also the officials and members of the Federal National Park Service, the Yosemite Valley Railroad, and the Yosemite Park & Curry Company.

RESOLVED, ALSO, that we extend our sincere thanks to the Sun-Star of Merced and other newspapers for their publicity of the meeting.

WHEREAS, There is a conflict and uncertainty existing in the statutes relative to the matters pertaining to public health and sanitation, and public interest

can best be served by the formation of public health and sanitation districts which are authorized to control all problems relating to public health and sanitation, including sewage disposal, garbage and rubbish collection and disposal, the control and abatement of mosquitos, flies, weeds and other animal or plant nuisances, regulation of quarantine control, food supplies, bathing re-

sorts, etc., Now Therefore, Be It

RESOLVED, that this League favors the formation of a comprehensive act to provide for the establishment of public health and sanitation districts covering incorporated and unincorporated territory for this purpose.

Note: The foregoing resolution was adopted and referred to the legislative committee.

REPORT OF THE NOMINATING COMMITTEE

To the 28th Annual Convention,
of the League of California
Municipalities.

We, your Nominating Committee, respectfully make the following report and recommendation:

For President of the League, for ensuing year, we present the name of **Dr. John J. Sippy**, Health Officer of Stockton.

In presenting Dr. Sippy's name we are actuated partly by his unquestioned qualifications for the position, but mainly in order to do justice to the Division of the Health Officers' Section of the League.

During the entire existence of the League the Health Officers' Division has been one of the most important if not actually the most important Section, and its work is constantly growing. During this entire period no Health Officer has been honored with the position of President of the League, and we feel it is a fitting time to give it the recognition to which it is undoubtedly entitled.

For Secretary-Treasurer, we take great

pleasure in presenting the name of **Mr. H. A. Mason**, who needs no introduction, having been one of the founders of the League and who has served the League faithfully and well during its entire existence.

The League in our opinion can do no better than to continue **Mr. W. J. Locke** as its Executive Secretary, and we present his name for that office. The ability of Mr. Locke and the value of his services to the League are too well known to require any comment from this committee.

Respectfully submitted,

THE NOMINATING COMMITTEE,

John V. Edy,

(of the Manager's Section)

R. L. Shinn,

(of the Attorney's Section)

Alex M. Lesew, M. D.,

(of the Health Officers' Section)

H. G. Denton,

(of the Clerks-Auditors-Assessors)

W. B. Hogan.

(Engineers, Councilmen, St. Supt.)



REPORT OF THE AUDITING COMMITTEE

Camp Curry, Yosemite, Calif.
August 17, 1926.

The League of California Municipalities
in 28th Convention assembled.

We, your Auditing Committee, have examined the books of the Treasurer and report that we find the accounts correct.

The receipts and disbursements from October 1, 1925, to July 31, 1926, were as follows:

Balance on hand October 1, 1925...	\$2,247.22
Receipts	
Dues.....	\$4,735.00
Contributions for Magazine.....	245.00
Refunds.....	211.57
Total Receipts.....	5,191.57
Cash Resources.....	\$7,438.79
Disbursements	
Salaries, Officers.....	\$2,700.00
Salaries, Clerical.....	2,076.65
Expense, Long Beach Convention.....	479.64
Office Rent.....	740.00
Office Expense.....	303.72
Telephone & Telegraph.....	241.35
Postage.....	291.49
Stationery & Printing.....	53.50
Books.....	27.40
Bar Association Dues.....	18.00
Committee Expense.....	2.50
Total Disbursements.....	6,934.25
Balance, July 31, 1926.....	\$ 504.54

We learn that there is an additional sum in the hands of the Executive Secretary derived from rentals of exhibition space, deposited in a separate account, the details of which were not at hand for examination. We would recommend that a special Convention Fund be established and maintained for the purposes set forth in the recommendation by the Department of Clerks, Auditors & Assessors to the Committee on Resolutions and that the books and records of account of the Executive Secretary be presented for audit by the Auditing Committee annually.

We would further suggest that the Executive Secretary report annually the assets belonging to the League, which are under his care, in order that future auditing committees may reconcile this with the previous report and additions during the year according to the Treasurer's books, thus avoiding the necessity of carrying an elaborate set of books, while at the same time establishing a complete record of your property.

Respectfully submitted,

GEO. H. WOOD,
H. IVOR THOMAS,
A. J. VAN WIE,
Auditing Committee.

Session of the Afternoon of August 16, 1926

Department of Engineers, Councilmen and Street Superintendents in Joint Session with the Health Officers' Section

MR. C. C. KENNEDY, Presiding.

MR. MASON (San Francisco): Ladies and Gentlemen: You will please come to order.

It is my pleasure to introduce to you the presiding officer for the afternoon, Mr. C. C. Kennedy of San Francisco.

MR. KENNEDY (Presiding): Members of the League of California Municipalities: The question for discussion this afternoon is, as you were informed by Mr. Locke at the previous session, one of widespread interest to the municipal

officials of towns and cities generally throughout the state of California, and we are particularly fortunate and privileged in having with us this afternoon Mr. Chester G. Gillispie, Director of the Bureau of Sanitary Engineering, California State Board of Health, of Berkeley, who is going to outline the problem of sewage disposal and its developments, with particular reference to problems in California. Mr. Gillispie has asked me to request that all of you

come forward and fill up the front seats. He advises me he is not particularly strong on the voice and he much prefers to have you close to him. So if you will come forward and fill up the seats I think you will be able to hear much better.

I may say that the object of this convention will not be fulfilled unless we have general discussion from the floor. The same type, or similar chat, was on the program at Long Beach last year and I feel it failed to accomplish its purpose because of the fact that the discussion from the floor was very limited. I made such a suggestion to the Executive Secretary of the League and I had this job wished on me as a result. You people are going to have to share with me the responsibility of making the meeting a success by entering into the discussion.

The problem of sewage treatment has just begun to find a solid scientific basis in current practice. Like all of the scientific developments that have gone through, it has gone through the trial of being in the hands of people who knew only partially the scientific facts underlying its operation. As a result a great

deal of misinformation has been spread about and city officials and the lay people generally are sore because of the fact that they are not thoroughly informed on the problem scientifically, and today every engineer dealing with sewage treatment is very frequently facing a situation of attempting to educate the people basically in the scientific principles of sewage treatment before he can begin to talk on the actual problem which exists in that particular locality.

Mr. Gillispie will speak to us at this time on Recent Developments in Methods of Sewage Disposal, and I hope, as I said before, that the members present will freely discuss the subject. We also have others who will speak on the subject.

MR. GILLISPIE: Mr. Chairman and Ladies and Gentlemen: This afternoon I will take you rather hurriedly over the high spots in Recent Developments in Methods of Sewage Disposal and the methods of sewage treatment developments since that art began about fifty or sixty years ago. I have written a rather long paper on the subject, but I will prepare you for a long paper by warning you before hand. (Reading).

Developments in Methods of Sewage Disposal

By C. G. GILLESPIE

Director, Bureau of Sanitary Engineering, California State Board of Health.

Even to one who is almost hourly in touch with sewage disposal, events are coming on with bewildering rapidity. Looking back from our present eminence, only the last few years seem to have been productive; yet, as a matter of fact, the rudimentary principles were established in the '80's and '90's by scientists whose work we may incline to forget. That was the time when men first really learned of the teeming micro-organisms of the earth. Scientists in the sewage disposal field

shortly deduced that sewage oxidation was the work of micro-organisms living in an aerobic environment, and that sludge digestion was an anaerobic process. They sensed somewhat that the different groups of micro-organisms were influenced by their physical and chemical environment, by food supply and antagonistic population. Even today we barely more than sense these truths. In our mechanical age we have made principal progress in the mechanics of sewage disposal and

treatment, rather than in the far more potent field of the sciences.

Yet, to show how far we have advanced, do you know that in 1850 and 1860 serious debate raged, among those indelicate enough to broach the subject, over dry and water-flush toilets, and a bit later, over manholes in streets? About 1852 the cholera outbreak of the mid-nineteenth century ran its course slowly on account of the general state of insanitation of that period. Sanitary sewers were plainly a necessity. First, however, engineers had to develop the art of sewer design from almost zero knowledge in that field. Many still living can recall those badly laid pioneer English sewers. For example, the early sewers were not laid to straight lines but followed the curves of the streets, and had no manholes. We would not think of such a job today. Sewers in this country followed those in England a generation later and there is less of early errors. But now and then one hears of the inheritance of the blunders of the past even in so simple an engineering undertaking as sewers. The youth of the art of sewage treatment may therefore excuse some of its mistakes.

Up to 1854, the General Board of Health in England held it to be unhealthful to spread sewage or even water on ground near buildings. Even before this, streams and tidal waters were commonly intolerable due to the running of cesspool overflow and filth into them. It became a period of great use of chemical disinfectants to arrest decomposition until the substance had been carried beyond the neighborhood. Carbolic acid, chloride of lime, and the like, were used in vast quantity.

About 1860, the claims for manurial values of sewage came along. In England alone sixty towns tried irrigation in rather a blundering way. There was soon a clashing of sanitary and economic interests, the same as we experience

today. Farms had been selected without regard to requisite size, porosity of the soil, topography or isolation. They became sewage-sick. The necessary acreage of proper soil was found often to be simply not available.

In 1868, a special commission was appointed in England to investigate the whole subject. Small scale but truly scientific experiments were carried on to determine the advantage of intermittent application of the sewage to land. The underlying theory was that the soil should be allowed to "breathe" and thus escape souring. It was noted that dissolved organic substance in the sewage liquid was thereby removed. The investigators did not then know that the principle was not one of atmospheric oxidation directly, but the establishment of conditions favorable to the multiplication of micro-organisms which in turn consumed or broke down the sewage, like worms digesting a polluted soil. The tests told them there was a nitrification, that is, the conversion of organic nitrogen to stable nitrates. It remained for Pasteur and others in the early '70's to show that nitrification simply could not proceed without the presence of microscopic life. This was a fundamental principle.

In 1886, Massachusetts, foremost in industrial activity, perceived that in this country sewers and trade wastes would lead to the same nuisance and river conditions being combatted in England. Accordingly in that year the State Board of Health established the Lawrence Experiment Station. The Station has been operating ever since, turning out research of infinite value to Massachusetts and to the whole country.

Massachusetts is geologically a glacial drift. The aim of the first investigators was to filter sewage at higher rates than on sewer farms through this porous media in more compact areas—the same aim

we have today. They established a number of principles correlating pore space, sewage loadings and rest periods. Many communities in Massachusetts adopted these principles within the next few years. Exceedingly good effluents were and are obtained. Odor nuisance, however, must be reckoned with. The area needed was about half that previously used with land disposal. This was quite an advance. There is one of these plants in this Yosemite Valley. There are a half-dozen others in various parts of the state, where sandy deposits of proper kind occur naturally, e. g., at Manteca, Ceres, Firebaugh, Porterville, Livermore, Blythe and Death Valley Junction.

Striving for still higher rates of operation, coarser grained filters were tried. However, the passage of the sewage through them was too rapid for noticeable improvement. This led logically to the idea of water-tight basins filled with stone, to hold back the sewage at will. Thus was the contact bed idea evolved, together with the establishment of a working cycle of its operation—so many hours in which the bed stood empty to rejuvenate, so many minutes to fill, and then so many minutes of contact after which the sewage was discharged as a considerably purified sewage. A single contact did not effect a material oxidation or noticeable improvement. Double and even treble contact was therefore developed. The size of plant was about one-seventh that of the intermittent sand filters, and one-fifteenth of the sewer farms.

In a short space of time in the '80's, over 40 towns in England took up the system. Our own country was not yet ready for sewers nor sewage disposal and there are but few installations here. We have five in California but I know of none that is a credit. Clogging of the pores of the stone proved to be serious. When less than 20 per cent of voids re-

main, the efficiency is low. A more compact plant, less subject to clogging, was soon to follow. Nowadays the contact bed is seldom considered except possibly for institutional use. The beds can be filled from below and thus can be made fairly free of the fly and nuisance problems of most other processes.

A side development of the intermittent sand filters and contact beds was started by the Massachusetts State Board of Health about 1890. The outcome was the sprinkling filter. This plant evolved from the effort to keep a continuous flow through the filter media. To show the tack along which investigators sometimes go astray, the first filters were coated with a layer of fine material to retard the downward flow. It did not seem possible to them that in the few moments in which the sewage would travel from top to bottom purification could occur. The fine cover, however, arrested air circulation and was dispensed with.

Without reciting the several intermediate steps, sprinkling filters were shortly perfected to the state in which we still build them. The settled sewage is applied to them more or less continuously, in drops like rain. Falling evenly upon the coarse rock bed, it percolates downward in thin films over the stone and thence out through humus tanks as a sewage practically free of putrescible substance. The stones are simply the workshops to which cling literally billions of aerobic microscopic organisms. So numerous are they that the stones are slimed over by them and their effluvia. The slime and the sewage-consuming organisms are the agents of the sewage oxidation. Provided the sewage stream does not carry more food supply than can be consumed, or, let us say, provided there is the right relation between sewage and the appropriate microscopic population, an oxidation is accomplished in a few moments, which days of atmospheric

oxidation could not achieve. The slime also physically enmeshes the foreign matter in the water. The living organisms are like the spider destroying the fly caught in its web.

Whenever the biologic activity is especially intense, as for instance in a spell of warm weather, a part of the slime coating unloads as humus, a rather granular sludge, easily settled and normally free of odor. Therefore a complete plant embodies a final settling tank. The increased rate of purification resulting in these sprinkling filters permitted a plant only half the size of the contact bed or about one-seventieth the size of the old-time sewer farms. The sprinkling filter is still an exceedingly economical sewage oxidizing device.

When supplemented with final humus tanks, these filters produce a good-looking, non-putrescible effluent, easily chlorinated, and they require little attention. Barring certain trade wastes, clogging and overloading is not serious. A few sprinkling filters are still operating with the same stone put in them twenty-five years ago. Their worst drawbacks are "nozzle nuisance," sending odors into the air around the plant, and the propagation of small flies. Thus isolation is sometimes an insurmountable obstacle. Even small plants receiving a fresh sewage should have fully one thousand feet of isolation. Larger plants with more septic sewage may smell for three or four thousand feet. Sprinkling filters still remain in considerable favor where isolation is possible. Flooding the filter occasionally has been tried to kill the flies. There are some eighteen of them in California, operated in most cases with a good deal of satisfaction. It is opportune to remark here on the disaster trade wastes may bring. One of these filters is an utter failure because of a whey load not figured on, and another is an equal failure whenever the cannery in that town operates.

Recently the odor problem with sprinkling filters has been minimized by pre-aeration of sewage ahead of the filter as at Birmingham and Decatur. At both places the loadings could be trebled, as a result of the pre-aeration. Los Gatos has recently inaugurated upward ventilation induced by the draft of burning its Imhoff tank gases. The loadings are nearly four times normal, and good results are obtained, except during the cannery season. The filter at Los Gatos is housed over.

We shall here retrace our steps a few years, because sewage treatment splits itself into two main parts. There is the putrescent liquid and there is the putrescent sludge. So far we have traced the work of evolving an odor-free effluent, up to about the year 1910.

Naturally the solids in the sewage have from the very beginning made difficulties, at least of a mechanical nature. They choked land, sand filters and coarse filters. Besides, the sludge was highly obnoxious and bulky. Chemical treatment, by its nature, interfered with biologic treatment and with manurial values. It only arrested decomposition. When its effect was passed, a vastly increased volume of vile sewage was left on hand. Preparatory to land disposal, gulleys and ditches were constructed to catch the settlings. As they filled, others were dug. At last accounts, we had an illustration of this ancient practice in the City of Colton, California. Bar screens were also used commonly. They were, of course, crude and imperfect.

In 1890 sludge disposal had impressed itself as the major unsolved problem of sewage disposal. It is so today. All other problems are child's play compared to this one. As was appropriate, investigators were seeking to apply newly acquired familiarity with the microscopic world to the digestion of sludge. It was the theory that a certain anaerobic group

termed "Liquefiers" would destroy the sludge as such. In 1895, Cameron, Engineer of Exeter, England, designed and built a septic tank embodying the theories. The word is now the layman's generic name for sewage disposal. Aerobic organisms accomplish their object quickly. Anaerobic decomposition is very slow. It takes a month or more to complete it in the liquid state and four to six months in the sludge state. Therefore features of the tank were its large size and holding power, whereby the sewage solids had time to deposit and digest, its trapped inlet and outlet, and dark, anaerobic conditions more to the liking and efficient workings of the sludge population. The latter conditions obtain automatically in septic tanks. Thus roofing is more a matter of odor control than biologic necessity.

Patents both on the process and the apparatus were taken out abroad and in this country. You are all aware of the improvident claims made for the septic process. To this day we suffer from the ill-advised propaganda. Perhaps its advocates were misunderstood. In the first place, the liquefaction was not at all fully realized and the sludge to be cleaned out was as rank or more rank than before. The effluent was usually dark colored, highly odorous and pathogenically dangerous. Literally thousands of these tanks, with modifications, have been installed by cities all over the world. There are eighty-five of them in California communities, and thousands of smaller ones. Notwithstanding their general failure, there is frequently a use to which those now existing can be put, since the advent of separate sludge digestion and the activated sludge process. By reason of their simplicity they are still unreplaced for rural and for many resort and institutional sewage treatment problems.

About 1908, Travis of England conceived the plan of keeping the effluent of

the tank fresh for biologic reasons and sought a separate sludge compartment for its digestion. Mr. Travis thought, however, that sludge digestion required a certain amount of new sewage liquid and so devised a two-story type of tank by which he could turn a part of the sewage flow through the lower or sludge compartment. In addition, he provided what he called "colloiders" in the upper chamber, resembling upright slats. He expected that the milky colloids of the sewage would become attached to the colloiders and gradually slide into the lower compartment. His premise thus was that sewage clarification was a physical phenomenon. So far as we know, there are no actual installations of the Travis tank.

In 1909, Dr. Imhoff in Germany designed a modified Travis tank without the colloiders and without the passage of liquid sewage through the sludge chamber. Overlapping walls formed a trap to prevent the return of gas buoyed sludge to the settling chamber. The object was to clarify the sewage sufficiently rapidly that a fresh effluent would obtain and sludge digestion could be an independent process. The process, however, is merely a preliminary one. It does not pretend to produce an odor-free effluent.

The tank was widely installed in Germany. Patents, now expired, were taken out in this country in 1909. Coming at a time when engineers and public officials were sorely pressed by septic tank litigation, the Imhoff tank was a refreshing substitute. Sixty-eight of them, or nearly as many as of the septic tanks, have been built in California.

The Imhoff tank, too, was put forth with too much optimism, or it might be better to say, with too little regard for the idiosyncrasies of sewage. German sewage and German experiences were frequently not duplicated here. The experience there indicated the sludge would be only about 85 per cent water. Experi-

ence here has frequently shown it to be as high as 95 per cent water. That percentage difference may seem trifling but it means three times as bulky a sludge. Sludge compartments, therefore, proved inadequate. The fresh sewage striven for can only seldom be realized; first, because the incoming sewage itself is generally stale, and second, because it is next to impossible to keep the surface of the tank free of septic coatings. It is rare, however, that the sludge after digestion is not excellent. It has no bad odor and drains easily. On the other hand, it sometimes digests with such sewage gas ebullition that the gas vents, which the tanks provide, even overflow their walls, to the great aggravation of the operator. Sometimes all the sludge is gas-buoyed to the surface.

In recent years these tanks have been designed with far more liberal sludge storage capacities and larger gas vents. It follows that it is easier to keep a more liberal head-room between the sludge trap and the sludge. The sludge therefore spreads more evenly over the surface. In consequence fermentation is less active. Such departures have been of great benefit.

In two of three Imhoff tanks in this country, mechanical devices have been installed in the scum chambers to drive gas out of the sludge and allow the latter to resettle. Water agitation with a fire hose stream is being used increasingly in this state, and no doubt elsewhere.

The New Jersey Experiment Station has for several years been working to learn the course of digestion in Imhoff tanks and the relation of biologic, temperature and other environmental conditions to tank performance. The first stages of sludge digestion are found to be strongly acid-producing. Sewage containing such carbonaceous matter, such as our cannery wastes, is especially conducive to acid production. In ripe

sludge the condition is strongly alkaline. If there is a proper balance between the two, the reaction is favorable for most rapid digestion and no foaming. The Station found that the ripe sludge should amount to ten per cent of the digesting sludge for a right balance. This would imply a danger in drawing off too much or too little ripe sludge or drawing off too infrequently. If the acid condition prevails the digestion is slow, the tank smells and foams badly. The correct reaction is slightly alkaline, as shown by tests for the Ph value, or hydrogen-ion concentration. At Plainfield, N. J., where the experiments are carried on, it is necessary to add 3 to 25 pounds of lime daily, to neutralize acidity. Digestion then takes place in half the time otherwise necessary. Digestion was about twice as rapid in summer as in winter.

They repeatedly observed that when gas ebullition is active, protozoa, that is, animal organisms, are in the ascendancy and bacterial life declines. In the activated sludge process Dr. Fowler finds that the filamentous bacteria are in the ascendancy when the sludge is bulky. Dr. Fowler has tried to manipulate the fauna and flora, and has had success with differential antiseptic dyes, particularly oxazine. We sorely need more work of scientists in the biologic and chemical fields in all our sewage treatment problems. Progress in the New Jersey Station lends the belief that before long sludge digestion can be speeded up materially and thereby affect economies in sludge digestion.

In Germany, the value of the gases evolved has led to trapping them and selling to gas plants. On a non-commercial scale, gas is trapped at Atlanta Georgia, and even at our own Town of Los Gatos. At the latter plant, the object of collecting the gas was to reduce sewage odors in the neighborhood. A still further advantage was taken of a

situation there, as heretofore mentioned, to ventilate the sprinkling filter through the stack, thus burning all the gas and circulating air upward through the filter. Air is refreshed in the bed every 3.5 minutes, equivalent to one cubic foot of air per gallon of sewage. Whether or not the ventilation is the explanation, a good effluent has been obtained with loadings nearly four times normal.

The operating difficulties of Imhoff tanks gave quite an impetus to fine-mesh screens about 1912. The main developments in this direction have been to perfect the mechanism for ease in removing the screenings and for longer life of the equipment. There are band screens, disc screens, and now drum screens. All of them have a mesh opening 1-32 to 1-8 inch, at the choice of the purchaser. The common size is 1-16 inch by 2 inches long. The field of usefulness of fine screens is as a preparatory treatment, as with salt water outfalls and ahead of other higher grade processes. They remove particles coarser than their openings containing 70 to 85 per cent water. They also take out the coarse, stringy and floating substances from sewage, which in the case of ocean outfalls are easily wind-blown, and in the case of sewage processes, are aggravating to the operator.

The screenings amount to 10 to 30 cu. ft. per million gallons, depending upon the condition of the sewage and trade wastes. In small plants the volume of screenings is trifling and it may be buried or digested. In larger plants, burial is not practicable. New York has a 36 m. g. d. screening plant for one portion of Manhattan. Screenings are to be barged to sea. Milwaukee and Indianapolis find that screenings dried and pressed have scarcely any value as fertilizer. If digested, it has about one-third more manurial value than activated sludge. Milwaukee therefore proposes to cook

the screenings under a steam pressure of 125 pounds for one-half to three-quarters hour, then to digest and de-water in vacuum for five or six hours to a ten per cent moisture basis, at which it contains about 7.5 per cent of nitrogen as ammonia, worth about twenty dollars or more per ton. This method has been used at the Blackwell Island, N. Y., screening plant.

The foaming experience with Imhoff tanks has also resulted in the devising of separate sludge digestion. This process, too, is simply a preliminary one for removal of settleable solids. The sewage is settled in tanks for that purpose and the settlings are transferred to a tank in which they digest. Many of the Imhoff tanks in Germany have been outgrown through the neglect to extend them during the war. The separate sludge digestion has been applied to them as a cheap way to gain the capacity which is lacking.

Separate sludge digestion has the advantage that shallow tanks can be used and turbulent sludge digestion does not disturb the whole process. On the other hand, the sludge must be transferred daily or more often or it starts active decomposition in the primary tank.

We shall now revert to the year 1910 and retrace efforts at the dual treatment of both sewage and sludge through the activated sludge process. No other process has even approached this one in fascination. Effluents are clear, free of odor, and easily disinfected. The sludge produced has a higher manurial value than any heretofore. There is scarcely any odor around the plant. The investment cost is moderate. The cost of operation, however, is higher than we are accustomed to pay.

Leaving aside sludge disposal on land, the activated sludge process represents a further advance in compactness. Rate of treatment per acre is about eight times that on a sprinkling filter.

The process is being tried out in practically every civilized country in the world. The capital outlay for activated sludge plants in Great Britain is about \$5,000,000, serving around 1,000,000 people. Numerous cities are carrying on highly commendable investigations, to adapt the process to their particular conditions. In this country there are some fifty-five plants embodying the principle. Our pioneer plants are at Houston, Texas, completed in 1917 and 1918. Including experiment costs, Milwaukee has invested about \$8,000,000 for a plant to handle 85 m. g. d. The population is 500,000. Chicago has completed its Des Plaines Activated Sludge Plant to serve over 100,000 population. In about two years it will complete the largest activated sludge plant ever built, to serve 1,450,000. The Indianapolis plant has a capacity of 60,000,000 gallons per day, serving perhaps 400,000 people. All of these plants resorted to investigation and research of a high order before entering upon the main program. Chicago has spent over \$500,000 to date on experimentation alone. Milwaukee has carried on expensive and elaborate investigation for every phase of the design.

California, as you know, has four of these plants in successful operation now, at Folsom Prison, Pasadena, Lodi and Pomona. Our largest is at Pasadena, serving about 100,000 people. The Folsom plant, one of the earliest in this country, was planned by our Bureau in 1917. Pomona only recently completed its plant to serve 20,000 people. A very small plant for Mountain Ranch School for Boys at Los Gatos is under construction. The population there is 200. A small plant was built in Verdugo Canyon, Glendale, about four years ago, but was never put into use as main sewers reached the canyon before they were expected. One constructed in 1920 or 1921 at Turlock, California, was not a success,

probably because of a very heavy cannery load not allowed for. Tulare, California, installed one in 1925 but it has been disappointing, evidently because the sewage is a strong dairy waste and allowance was not made for it. The Pasadena, Lodi and Pomona plants have set a new mark in sewage disposal in this state.

Paris is experimenting with the activated sludge process. In Germany, likewise, the process is still in the experimental stage. There are two plants in Denmark, one in India, one in Shanghai, China, with two more projected. These plants also were predicated on experiment and trial. Canada has at least eight plants in regular operation, one being a plant built as early as 1915. Most of the Canadian plants are small town and city plants, with disposal of sludge by digestion in nearby septic tanks.

A commission for the study of sewage disposal in Moscow finds that the activated sludge process is effective there, but requires 40 or 50 volumes of air per volume of sewage. The commission has also experimented with the artificial aeration of contact filters from below, and finds it can get improved results with an air consumption equal to 2 to 4 volumes per volume of sewage with a pressure of only .01 atmosphere.

It seems the foundation experiments of the activated sludge process were carried on by the Lawrence Experiment Station in 1912-13, reporting superior results after some weeks of aeration. Thereafter activation was established and the same results were gotten in a few hours. Fowler, a well-known English authority in sewage disposal, saw the possibilities and took the idea back to England. Numerous workers there and in this country have pursued the idea to a highly satisfactory position today.

The essence of the process is the conversion of the sludge to an aerobic condition by constant but gentle air agita-

tion. The sludge particles then become the workshop of the myriads of biologic forms essential to sewage purification, which we first observed in the sprinkling filter slimes. In the present case, the biologic population lies in the sludge and is brought to the sewage through the medium of the agitation. As in intermittent sand filtrations and sewage farming, the nitrifying organisms must be kept alive or the process suffers. If the conditions relapse to the septic state, the nitrifying organisms die completely, just as a plant in a sewage-sick soil. In fact, a growing plant suspended in an activated sludge tank is a good barometer of its condition.

However, the process is far from the delicate, inelastic one that it first appeared. It has been adapted to some refractory wastes. Experiment gradually tends to show its wider and wider applicability to miscellaneous waste if only the conditions are known and allowed for. The process can stand considerable shock and rough usage. Force of circumstances has compelled the shutdown of several of these plants for hours, or even days, with no harm. The plant at Bury, England, is shut down at night regularly. The plant at Lodi is shut down in the evening hours of heavy lighting load, except when the cannery is running. At that season continuous operation is necessary. The crux of the matter seems to be the amount of reserve biologic force on hand at the time of shutdown. On the other hand various trade wastes, as from tar, oil, wool waste, tannery waste, creameries and canneries, have disorganized the process temporarily or permanently.

By way of brief description, the sewage undergoes air agitation for 4 to 15 hours, depending upon the nature of the sewage, in one or more tanks containing from 10 to 35 per cent of previously activated sludge. Both sewage and sludge circu-

late together through the tanks continuously, barring shutdowns. The necessary time of aeration and sludge present is a matter of adjustment of sewage supply to the microscopic population which consumes it, as was the case with the sprinkling filter. The exact amount of air, time of aeration and per cent of sludge required are not yet so precise but that it pays to establish them in each instance before designs are made.

To free the effluent from its sludge load, the outgoing sewage is passed through one or more settling tanks holding $1\frac{1}{2}$ to 3 hours' flow. The sludge settling there is light and curd-like, settled quickly, and precipitates with it everything but clear water. The deposited activated sludge must be withdrawn before septici- zation sets in. It is revived if necessary by re-aeration, and then passed through the process again as the nucleus for the improvement of new incoming sewage. From time to time the surplus sludge must be gotten rid of. As it varies from 98 to well above 99 per cent of water, its volume amounts to 10 to 15 thousand gallons per million gallons of sewage.

Progress in the process is in three main directions: establishment of the air, sludge, aeration and re-aeration requirements over a wide range of sewages; economic aeration with agitation, and developing manurial values from the sludge.

Various types of plant have resulted from the endeavor to economize an aeration and power consumed. There is now the use of air diffusers which are simply porous plates in the bottom of rectangular basins whose purpose is to break up the bubbles into small particles. Fine air particles are said to be fully three times as effective as coarse. The early tank bottoms were ridge and furrow construction. The later ones are of the Manchester type. They are flat-bottomed with one or two rows of diffuser plates

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along one side, inducing a spiral motion of the sewage mass. A side development is the search for high efficiency compressors. Then there is bio-aeration, using mechanical paddles in long shallow channels to chop the surface of the sewage. Another variation is mechanical agitation in a Simplex Aerator, a patented device. It comprises the use of high-speed revolving vanes near the surface of the tank center, the sewage being drawn up a central standpipe and whirled by the propeller to entrain the air. Air diffusion of the Manchester type appears to be the most positive of any and probably no higher in power costs for equal results.

There is debate on the need of re-aeration of returned sludge. It is evident that there are cases where it is not necessary. There are other cases where sludge goes septic and it is a great asset to have re-aeration. In experiments carried on in India, remarkable results are claimed by care in proportioning return sludge to the sewage flow and strength. Going back to first principles, this is plausible. Some investigators find that thorough sludge re-aeration accelerates the process and lessens the primary aeration to as low as one hour. It is the part of discretion at this stage of the art to provide for re-aeration, perhaps not at special expense, but by equipping primary aeration tanks for secondary aeration.

Preliminary treatment of some sort is generally considered to be necessary. At Epsom, England, however, sludge was less bulky when preliminary treatment was dispensed with. Fine screen openings at Pasadena was an advantage in that it decreased somewhat the sludge produced in the process.

Settling tanks are being used with good success at Chicago and Indianapolis for the double purpose of preliminary treatment and of digesting anaerobically the spent sludge of the entire process. Experimentally, good results have been

obtained in the same manner by Dr. Imhoff in Germany. The high fluidity of activated sludge requires a very much greater sludge storage capacity than the present Imhoff tanks, perhaps three or four times. A heavy gas formation and rapid digestion are obtained. Some have suggested the use of the gas for power. Pomona was the first city in this state actually to install this mode of sludge handling on a working scale, guided by the Chicago experiments.

The sludge produced is highly fluid and holds tenaciously to its water. Various methods of handling it are in use. Those who know agree that a good sludge, easy to de-water, requires a good effluent. In small plants the sludge is digested anaerobically in septic tanks, as in the Canadian plants referred to.

On the continent and at Houston, Texas, the sludge is lagooned in ponds, apparently without offense. The Houston ponds amount to 1.5 acres for a 5 m. g. d. plant. At Pasadena, lagooning to a depth of about 18 inches lead to intolerable nuisance. However, as this occurred early in the operations, the poor condition of the sludge may have had something to do with it.

In a number of places wet sludge is run by itself, or diluted with effluent, onto land for fertilizer. This disposal is sometimes used at Lodi. Macclesfield, England, runs the sludge onto a 10-acre farm and obtains a \$5,000 return from it. However, according to Mr. Hatton, Chief Engineer of the Milwaukee plant, there is less than half as much fertilizer in wet as in dried sludge, and of course freshly produced wet sludge has a use limited to coarse crops. It is apt to be pathogenically dangerous. Digested or dried sludge, or sludge dehydrated to 10 per cent moisture, does not have this limitation.

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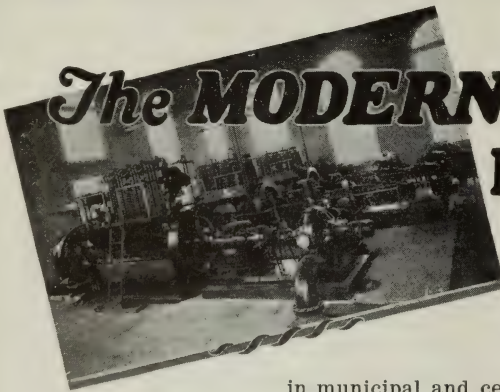
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at times. About three acres are sufficient for that community. In a couple of weeks' time, 3 to 4 inches of wet sludge can be raked off the beds as dry flakes. In damp weather the beds have tended to sour to some extent.

Because it represents an intensive effort at a high degree of sewage reclamation, the work of Milwaukee, Chicago and Houston, and I believe New Britain, Conn., in sludge drying, may be epoch making. For that reason considerable space will be devoted to it. Since tankage of slaughter houses has been turned to the making of stock and chicken feed, the fertilizer industry needs organic nitrogen, which only sewage can supply. Milwaukee produces approximately $1\frac{1}{2}$ tons dry sludge per million gallons of sewage, containing 7.5 per cent organic nitrogen and selling around \$15 per ton in large lots. This more than covers the cost of preparing the sludge.

The fertilizer is used for lawns and any kind of crop without danger of burning. Its best market, however, is with other fertilizers to supply what they lack.

To make the sludge attractive for sale, it must be dried to about 10 per cent moisture and pulverized. The actual drying is not a problem. In small plants it is done by exposure to the air. In large plants wet sludge cake is first produced, having not over 80 per cent water, and the cake is then dried in heat driers. It is important that the driers be handled to avoid scorching. To prevent balling of the wet sludge, dry sludge in about equal amount is mixed with the wet before drying. After drying it is pulverized.

The de-watering from 98 or 99 per cent down to a cake having 80 per cent or less of water for drying has been the principal problem in sludge reclamation. Sludges have shown great dissimilarity in their response to de-watering operations, and to summer and winter temperatures. The problem is one of conditioning the

sludge to give up its water, somewhat like curd gives up its whey. More than a dozen methods and devices have been used, including precipitation, flotation, pressure and vacuum filtering, pressing, air drying, centrifuging, spraying, and mixing with inert earth and garbage. At Milwaukee the procedure has been based on breaking down the colloidal nature of the material by adding acid in sufficient amount to put the sludge in an iso-electric or neutral electric condition. The amount of sulphuric acid used varies from 3.8 to 5.3 c.c. per gallon. In winter even this treatment was inadequate until the sludge after acidification was heated to 120 to 155 degrees Fahrenheit. When so treated the sludge was easily filtered to a thin cake on Oliver cloth filters.

Chicago has succeeded without heating the sludge and gets better results with 4 to 10 pounds of aluminum sulphate than with the acid, as used at Milwaukee.

Fertilizer production after these methods is not yet on a full scale basis and actual cost statistics are not available. The sludge is highly valuable but it may take time and education to demonstrate it. Milwaukee is going about it in a businesslike way. A Fellowship has been established in the Department of Agriculture of the University of Wisconsin and the Commission is a Member of the National Fertilizer Association. Demonstration and field experiments are being carried on around Milwaukee on golf courses, farms and gardens. Mr. Hatton, Chief Engineer, is so sanguine of the ability to handle sludge profitably that he states he would not hesitate at all to advise a community having as low as 1,000,000 to 2,000,000 gallons of sewage per day to go ahead and process their sludge.

England until recently has not tried to perfect the marketability of sludge but does try to put it to fertilizer use with least expense. The plan upon which



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Milwaukee, Chicago and other cities are embarking to market the sludge obviously calls for a high degree of good business management.

A wholesome prospect for the firmer establishment of the activated sludge process is that in so many cases recourse has been made to experiment and demonstration on a small scale before undertaking large plants. A review shows that it pays to do this, even in small plants. But in such experiments every important factor must be recognized in the experimentation. It is because of failure to recognize the variable factors or to take them into account that experimentation has sometimes not tallied with working results.

Right now there is the temptation to cheapen operation down to the quick, where a barely passable effluent is obtained. Conservative engineers contend that the sludge problem is the big problem of the process and that to maintain a good sludge requires a good effluent. At the risk of slowing up the adoption of the process, I believe in this view.

Activated sludge costs are on par with water filtration, that is, approximately two or three cents a thousand gallons for operation and about two cents a thousand gallons for fixed charges, exclusive of revenue. This amounts to a charge of between one and three dollars per person per year. The costs are not high but they are relatively high because we have been accustomed to pay scarcely anything for sewage disposal. The financial system of our municipalities is not adjusted to the changed order. Rather than cheapen operation, or discard the process, I believe we should go into the business of making money out of sewage. There is profit in the manurial values and in sale of water for irrigation. The water itself is a good fertilizer. The arid West needs all the water it can get. The City of Pomona has already contracted for the

sale of its effluent at sixteen cents a miner's inch in summer and nine cents a miner's inch in winter. The average return is a little under one cent per thousand gallons, or about \$3.25 per acre foot. Many parts of California pay more than this for straight water. Crops are raised at a profit where irrigation water costs \$30 to \$50 per acre foot.

Discussion following the presentation of the paper by Doctor Charles G. Gillispie, Director, Bureau of Sanitary Engineering, California State Board of Health, Berkeley, entitled "Recent Developments in Methods of Sewage Disposal," a Symposium.

(P. M. Session of Aug. 16, 1926)

MR. KENNEDY (Presiding): We thank you, Mr. Gillispie. I have had the privilege of reading the first part of this paper by Mr. Gillispie some few days ago, and I think we all realize that probably there has not been prepared in recent years a paper which is so comprehensive, and withal so illuminating, as to scientific problems underlying sewage treatment. In general, as I have said before, uninformed, and I think such a paper coming from Mr. Gillispie is extremely timely. As Mr. Gillispie has pointed out the effort in sewage treatment has been toward creating a high-grade effluent under more and more restricted conditions rather than to the solution of the problem of areas available for disposal of the effluent. That condition is becoming particularly trying in California, as has been pointed out a number of times within the last two or three years, due to increasing density of our population in the valleys and along the sea shore, and for that reason California bids fair within a very few years of being one of the leaders in sewage treatments because of the rapid growth of her communities. Particularly is this true with regard to the value of

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the by-products, namely, the mineral or fertilizing value of the sludge in our sewage and high-grade crop production, as well as in the mineral values of the fully activated effluent from high-grade treatment plants.

We will now hear a discussion of the developments of the activated sludge process, particularly in recent years, by Mr. Walter C. Roberts, Director of the Pacific Engineering Laboratory of San Francisco. Mr. Roberts spent several months during the past year in the east investigating the work at some, if not practically all, of the modern plants throughout the east. Mr. Roberts will give us a paper on "Activated Sludge Processes and Its Recent Developments."

(The address by Mr. Roberts will be published in our September issue).

MR. KENNEDY (Presiding): There has been a feeling among engineers in the state of California that the design of sewage treatment plants in this state is a problem apart from that in the East. The reasons have been more or less clearly outlined by Mr. Gillispie and Mr. Roberts in their papers. The City of Pasadena which is installing the first activated sludge process of sewage disposal conducted a very extensive program of investigation and research before their plant was built. With that, problems which they did not anticipate developed and caused them considerable difficulty, as Mr. Gillispie outlined.

With smaller municipalities, which compose of course the great number of municipalities in this state, such research and experiments is outside of the financial ability of such smaller cities to undertake. The state has problems that are peculiar to it, as Mr. Gillispie states. In the matter of treating wastes, the peculiar kinds, cannery wastes and varying wastes, has thrown the whole problem of sewage

treatment into the field of uncertainty. Acting on the knowledge which is more or less common in the engineering fraternity, a movement was inaugurated by the Los Angeles section of the American Society of Civil Engineers to have a committee representing that section and the San Francisco section, as well as the Sacramento and San Diego sections, which would undertake to outline some method by which knowledge of the conditions which must be met in California would be the common property of all of the municipalities which had these problems to face. The committee was appointed from the San Francisco section, the Sacramento and San Diego sections have not as yet co-operated—and when the meeting was held between the representatives of the two sections it was the sense of these gentlemen of the committee that the problem as it appeared to the engineers should be presented to this League of Municipalities, because it is a matter of vital interest to the League, and the endorsement of this League asked to further the enactment of proper legislation which would provide for the necessary fact-finding body to be appointed to work out the problem and to make available information which would be of value to our state municipalities in the undertaking of this problem. The membership of the Los Angeles section consisted of Mr. W. T. Knowlton, Sanitary Engineer of Los Angeles, Mr. Cory, and Mr. Orbison, City Manager of Pasadena, and the San Francisco section, Professor C. G. Hyde, Professor of Sanitary Engineering of the University of California, Professor Reynolds, Professor of Sanitary Engineering of Stanford, and myself were members. Mr. Knowlton was asked to prepare a short statement of the purposes of this committee to present at this meeting. Unfortunately he failed to get this outline prepared. However, Mr. Orbison is here as a member of the Los Angeles

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committee and will discuss the problem as it exists and outline the suggested method of procedure which this League is asked to stand behind and assist in bringing to passage the necessary legislation at the next session of our State Legislature. Mr. Orbison. (Applause).

MR. ORBISON (Pasadena): Mr. Chairman and Ladies and Gentlemen: Mr. Knowlton very fortunately, or rather unfortunately, not only failed to be present today, but also failed to get his paper up in time to be discussed this afternoon, and I volunteered to substitute for him, to pinch-hit for him.

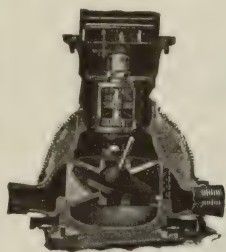
We know, for instance, we engineers who have followed the work, that the subject of sanitation is only of importance to those of you, or us, who have to come in contact with it. The rest of you who do not have to deal with that problem, as a rule but few of them avail themselves of the opportunity of becoming versed in our own problems, and yet we have today before us the economic question as to the disposal of our sewage wastes. The problem is one of vital importance to us all. It is with us today and will be with us for many years to come.

We are crying today about where can we get a future water supply. Our water is rapidly disappearing; our streams are drying up, wells are dropping; and what are we going to do to prepare ourselves for the future? The well we are crying about, that need, we are continually dumping our waste away in the most extravagant manner that is possible. We are wasting and turning out on our sewage farms millions of gallons of water that could be used for other purposes, and I fully realize we must take certain steps towards conservation of that water which we are at present wasting. We realize, those of us in municipal work, the sad lack of spirit in the various municipalities in this regard for the reason that it calls for the expenditure of money for

which you cannot show an immediate return. Now you employ a landscape gardener to beautify the grounds of your estate and he draws you a picture of what he can do, and he will tell you what it will cost. You say "All right, go ahead." You can visualize what it will be like after trees and plants have grown up, but when it comes to visualizing the needs for better sewage disposal, when it comes to getting city officials to visualize what is going to happen in the future, it is a crime! We can't do it!

At the last session of the legislature an attempt was made to get Assembly Bill Number 1215 passed which would enable the State to appoint a commission of three, and the duty of that commission would be to see that sufficient experimental work was done, sufficient experiments were made along the various lines of treating waste so that any municipality or group of municipalities that had waste to dispose of could avail themselves of the data to be collected by this commission through its engineering force. Have you stopped to realize—I don't know how many of you did—but Doctor Gillispie stated that the Turlock plant failed probably because they failed to realize what was going to happen when the cannery waste came in. And I have just heard that the almond industry in the south caused serious difficulty in handling.

Now, the State a few years ago appropriated some money and formed a water commission having the sole duty of ascertaining where our waters were located, and the studies of this commission were a valuable work. They visited all sections of the state, holding numerous meetings, had their engineers go out and collect this information that you and the rest of us may have an opportunity to take advantage of their work. They were called on to go out and spend money and collect data. They thought it would be too expensive for us to make independent



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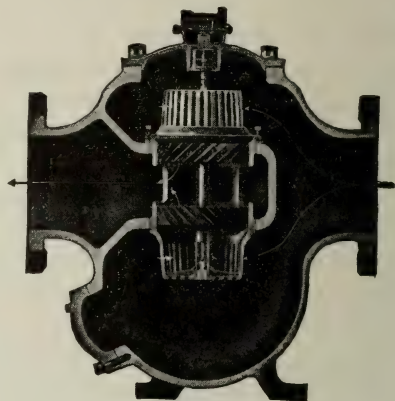
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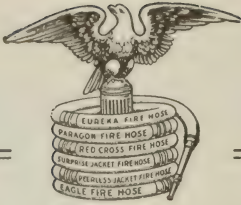
studies, except in the case of the larger municipalities. The same thing should be done with respect to the treatment of our waste. Let all of the smaller municipalities, who can not afford to properly go into this subject and experiment to see what is the best method of disposing of their waste, profit by the knowledge gained and the data collected by a commission or a committee to study the problem from beginning to end.

It is a crime when you can dump your dried waste in your front yard and that of your neighbors without any consideration of the future. And what we would like to have done this week would be to have the League of California Municipalities get behind a bill along this line. This is only a suggestion, that a commission be appointed by the Governor. This would, of course, have to be made possible by the passage of an assembly bill—that a commission be appointed by the Governor, say, to consist of three men; this commission to be paid a nominal salary—they would have to meet only once in two or three months—and we would like to have this commission carry on over a period of two years in order to show a justification for such a commission, because it is the future that is at stake; that this commission employ an engineer and also a competent staff and make comprehensive studies of sewage waste disposal and treatment. Now, it might be possible that during the first year they might make only two, or possibly three, investigations. It might be it would run into the treatment of certain waste which would require another year's study. We don't know. But whatever the length of time be, if they can arrive at the proper solution of handling dried waste, certainly the expenditure has been justified. Then this information would be available, as I said before, to any municipalities who had occasion to treat this dried waste. This work will be exceed-

ingly valuable, and it behooves us, in order to protect ourselves, that we get behind such a measure.

Our committee in the Los Angeles section felt that if we could get a hundred thousand dollars appropriated, say the commissioners themselves would receive perhaps a thousand dollars a year, their amount would be three thousand, and perhaps six thousand for the other salaries; that the commission meet once in every two or three months; that they would be public spirited men and willing to sacrifice some of their busy time. On account of the importance of the work these men should preferably be men trained along certain lines, one a chemist, one be a bacteriologist, and the other an engineer or a man who has been trained along the general line of conditions which we have to meet in our municipalities. Of course, the chief engineers would have to be trained men. I understand that Doctor Gillispie perhaps can be induced to serve on such a commission—at least it is my hope. He has traveled extensively and has given this subject wide study. Such a commission could make similar and further studies and study conditions on the ground and follow it out through experiments to conclusion and then be ready to treat any sort of dried waste within the state that would be of value to our cities. That would be one thing that would not require duplication or the expenditure of money by any other city, or through loss of money and time in making independent studies in finding out, as I said before, the best methods for treating their waste.

We should get behind such a measure. It was stated at this morning's meeting that this League can be one of the most influential organizations in the State of California and we might be able to accomplish anything we undertook to do, secure the passage of any legislation which we want to father if we can justify our stand;



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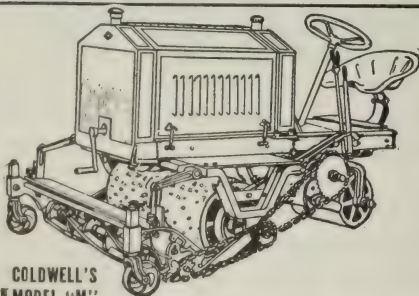
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and I think we can justify the plea we are making this afternoon and will make again before the year is out.

I don't think there is anything more I can speak about this afternoon. I thank you. (Prolonged applause).

Mr. KENNEDY (Presiding): I thank you, Mr. Orbison, for your very interesting discussion. I think that is the important point which we wanted brought before the meeting this afternoon. (Applause). We were to have with us Professor Hyde, Professor of Sanitary and Hydraulic Engineering of the University of California, who would review and present to you the problem from a different angle. Professor Hyde was also a member of this committee of the San Francisco section which I mentioned before. Unfortunately, however, Professor Hyde is on duty at the University and cannot be away from his work.

There are two or three things brought out in the discussion which this committee had under discussion at its meeting in San Francisco, which I think are germane and should be brought to the consideration of this meeting.

Mr. Gillispie in his paper suggested it, namely, that fertilizing sources such as existed fifteen or twenty years ago in packing house wastes have been very largely deferred to more lucrative uses, very largely to various foods which are used for poultry and stock; and secondly the organic nitrating for fertilizing purposes has been largely reduced. All of the dried waste which exists in California and are more or less difficult in their handling have certain elements of commercial value. In addition to removing a menace to health as well as a source of general community nuisance, in the work which may be done by such a fact-finding body as Mr. Orbison has outlined, it will provide the means of conserving any dried waste values which are now going to waste. That is an important thing

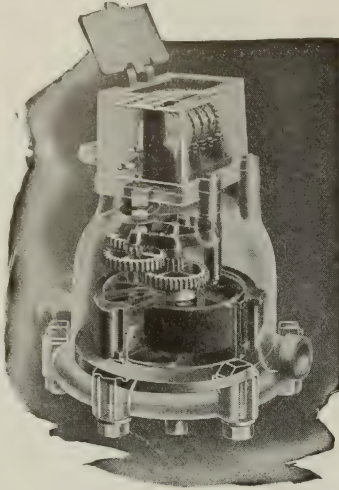
and it is one of the things which will, in my estimation, largely justify the expenditure of the money by the state in this work.

We are meeting here in a National Play Ground. Probably few of us realize the extent of the problem of sanitation of the state, which has been imposed upon the state board of health, by the rapid growth of the summer camps and vacation spots in California. It is meeting the hazard to the health of every individual who goes on vacation—and almost every one does go on vacation. That hazard is greatly increased because of the pollution of our streams either in the mountain resorts or on the sea shore, and this has made our problem vastly greater in importance than it was a few years ago. It is of course impossible that all of the problems of sewage treatment be recognized at this time. The people of the west should and must keep their streams and coast lines clean. Anyone who has traveled in the East and is acquainted with the various problems prevailing there and realize the enormous expenditures which are being made, must be aware of what an asset it will be if we await the conditions which will prevail here unless we adopt a very progressive attitude toward the solution of this problem. Those of us who realize that know, that any effort we make in preserving and keeping clean the coast line and streams of California will be justified.

I see on the floor a number of engineers who are familiar with the problem which we have been outlining, and I would like very much at this time to have discussion from the floor as to the attitude of the municipalities, particularly the municipal engineers, on this problem. Is Mr. Jensen, the City Engineer of Fresno, in the room?

MR. JENSEN (Fresno): Yes, right here.

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MR. KENNEDY (Presiding: Let's hear from you.

MR. JENSEN (Fresno): Mr. Chairman and members of the League: First of all I want to compliment Mr. Gillispie on his paper. It was the finest composition on sewage disposal and the most comprehensive paper on the subject which I have ever heard or ever read. I think he has covered the subject in a most wonderful manner.

You probably noticed as he was reading, and while Mr. Roberts was giving us his paper, that the subject of sewage disposal is a very intricate and difficult problem, not like the other engineering problems, such as laying pavements and building structures and so on. When we design a roof truss we can figure out how much stress there is in one of the members, and it is an easy matter to go ahead in a very definite way to design a roof truss. In sewage disposal, however, we are dealing with a different subject. We are dealing with one that has to do with organic life, bacteriology and that sort of thing, which is not so definitely known about and can be calculated as in other and less kindred engineering problems.

There are two things which I would like to stress today. One of them is how a municipality should best proceed when it comes to the matter of sewage disposal, and the other is, how the combined municipalities of the state can best proceed to help the whole situation, which means a help to themselves. And in order that I may emphasize, or that my remarks may emphasize my point, I want to tell you just what my position is so that you may know I have had some experience with the subject.

I have never before been able to say with grace what I am going to say about the first point, because I have been an engineer attempting to do work of this kind and to secure my position—my posi-

tion as engineer for the various municipalities for which I have worked, but today I stand as one of the councilmen and commissioner of public works in Fresno and can say without bias what I have wanted to say for some time. Also, I have had experience in these matters. I happen to be responsible for one of the failures mentioned here. I have been able to solve, however, successfully, some problems of sewage disposal, so I know something of the problem.

The small or middle size city that has sewage disposal before it has to look for the necessary trained help of an engineer to work out the problem. It also has available the services of the state board of health, including the engineers of the state board of health. Some cities, however, don't care to take the advice of the state board of health engineers. They rather view the state board of health as trying to butt in and trying to make them do something that is wrong, or just about doing it, and they have suffered accordingly. Then again, some cities do not realize the importance of securing trained and experienced men, particularly men who have been conducting studies and are educated to the problem and have availed themselves of the best information obtainable. Rather than to look at the merits of an engineer they look at the fee which he proposes to charge for his work. They even go so far as to advertise for bids for engineers. And this is the point I have wanted for a number of years to bring home to those looking to the people for places on boards of trustees and members of governing bodies of cities.

(*Editor's Note:* Mr. Jensen's address and further discussion of this subject will be continued in our September issue).

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VOL. XL

TWENTY-EIGHTH YEAR

No. 9

Editors.....H. A. Mason and Wm. J. Locke
Business and Advertising Manager.....H. A. Postlethwaite
Editorial and Business Office.....707-721 Chancery Building, San Francisco

Advertising Rates on Application

Address all Communications to "PACIFIC MUNICIPALITIES," Chancery Bldg., San Francisco, California

September, 1926

A. Carlisle & Co., Printers, San Francisco

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(Continued)

REPORT OF THE EXECUTIVE SECRETARY

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The annual income from dues now amounts to \$7,235.00. In addition to this from \$500.00 to \$1,000.00 per year is received from the sale of exhibition space at our annual conventions to dealers in municipal machinery and supplies; also \$61.25 per month from A. Carlisle & Co. on account of office expenses.

The fixed annual expenses are as follows: Salary of the executive secretary, \$2,400.00; salary of the assistant secretary, \$1,020.00; salary of the secretary-treasurer, \$600.00; salary of the stenographer-clerk, \$1,320.00; and office rent, \$1,686.00. In addition to this there is the expense for telephone service, stamps, stationery and incidentals.

The assets of the League are as follows: Law books, \$300.00; book-cases, \$100.00 filing cabinets, desks and office furniture, \$350.00; typewriter, \$100.00, and multi-graphing machine, \$150.00, making a total of \$1,000.00.

A misunderstanding seems to exist in the minds of some of the city officials concerning the publication of the magazine and our relations with A. Carlisle & Co., its present publisher, and, under

the circumstances, I think a brief explanation of these relations is proper and desirable at this time.

Shortly after the League was organized in 1898, Mr. Mason was authorized to publish an official organ on the understanding that it would be considered as his own property and entail no expense on the League. This was done accordingly, and for the first nine or ten years after organization the magazine was printed in Santa Clara. After the League increased its activities and grew in membership, it became desirable to change the place of publication to San Francisco where the League had established its headquarters. Accordingly, a contract was entered into with A. Carlisle & Co., a printing house specializing in the publication of bonds and public documents for cities and counties, whereby they agreed to publish the magazine at so much a page. This arrangement lasted several years when a disagreement arose, and the publication of the magazine was transferred to the Ingram-Rutledge Co., of San Francisco. The contract with this new company was similar to the one made with the former publishers, A. Carlisle & Co., except it was further agreed that the printing of any additional publications, forms or other documents issued by the league or its secretaries should also be given to the contracting company and printed at the prevailing market rates.

This agreement with the Ingram-Rutledge Co. lasted from April, 1917, to Jan., 1920, when the company changed hands and its successors notified us of their desire to give up the contract. Mr. Ingram, who had been with the Ingram-Rutledge Co., had transferred his business connections to the H. S. Crocker Co., and he endeavored to get that company to take over the publication of the magazine but without success. In the dilemma we again turned to A. Carlisle & Co., who agreed to resume publication of the magazine for the advertising receipts and the right to publish all handbooks, street laws, forms or other documents issued by the League or its secretaries. The contract with Carlisle, which is still in effect, contains numerous details regarding the size of the publication, number of copies, etc., the original of which I have with me at this time. It also contains a provision that the publisher should contribute \$61.25 per month toward defraying the office expense of the League.

In 1916 the executive secretary compiled a handbook for officials of the fifth and sixth class cities. This handbook contained the essential provisions of the constitution, general laws and codes relating to the government of municipalities. From the comments received it apparently filled a long felt want. It was published by A. Carlisle & Co. at a cost of something over \$500.00, paid for out of the general treasury of the league, and was distributed to all the officials of the league cities free of charge. In 1920 a second and larger edition of the handbook was issued. However, it was found that the cost of paper and printing had increased over 100 per cent since 1916, and therefore it was impossible to publish and distribute the second edition without extra charge. However, one free copy was distributed to each city of the fifth and sixth class and additional copies sold by the publisher at a price which was not regarded as unreasonable in view of the

limited sale of the book. Since our last meeting in Long Beach another and more elaborate edition of the handbook has been issued by this office, one copy of which was distributed free to all the cities of the fifth and sixth class, the same as was done in the case of the second edition. In the publication of the handbook and also in the preparing and editing of the street improvement laws and forms for their use, which are published by A. Carlisle & Co., the executive secretary has refrained from accepting any financial compensation from the publishers but has construed the work as part of his official duties.

The last edition of the handbook contains a model city manager charter for small cities which is based on the charters recently adopted by San Mateo, Santa Rosa and Monterey. The reason for inserting a form of city manager charter in the handbook is due to the fact that the Governor had turned down our bill for putting such a provision in the general laws. At the present time the general laws provide for the council plan of government and also provide a plan for the commission form of government, but no provision is made for the city manager form of government.

Among the other activities of the League during the past year has been the preparation and issuance of a model zone ordinance for small cities, a model setback ordinance, and a model plumbing ordinance. A committee was appointed by the department of city attorneys on the preparation of a model building code for small cities but a number of legal questions have arisen in connection with the matter which it was thought desirable to submit to the department of city attorneys at this session before going ahead with the work.

It may be said that the past year has been one of activity and progress.

Respectfully submitted,
WM. J. LOCKE, Executive Sec'y.

ACTIVATED SLUDGE PROCESSES AND THEIR RECENT DEVELOPMENTS

By WALTER C. ROBERTS,

Director of the Pacific Engineering Laboratory of San Francisco

An Address Before the Department of Engineers, Councilmen and Street Superintendents, in Joint Session with the Health Officers' Section
at Yosemite Valley, August 16, 1926

The early history of the activated sludge method of sewage disposal credits two American investigators, Black and Phelps, with doing the first experimental work on the aeration of sewage in 1910. In 1912 the Massachusetts State Board of Health at Lawrence, Mass., conducted laboratory experiments by aeration of sewage in gallon bottles, and later in a small tank. The chief result of these early experiments was to prove that aeration of sewage had a marked clarifying effect and to greatly stimulate scientific interest in this method.

Dr. Fowler in Manchester, England, began experiments in 1913 and was the first to show the real value of mixing previously aerated sludge with fresh sewage. Bartow and Mohlman at the University of Illinois in 1915 conducted somewhat similar experiments. The City of Milwaukee started investigations in 1914 under direction of Hatton and Copeland. The subsequent work at Milwaukee has contributed much to the present knowledge of the activated sludge process.

A few years later the City of Chicago started on a 250 million dollar sewage disposal program and established a large experimental laboratory. A million dollar experimental plant was built where different types of equipment and methods of sewage disposal could be studied under actual working conditions.

Two other eastern cities have carried on extensive experimental work in connection with their activated sludge plants, Indianapolis, Indiana, and Houston, Texas.

Several European countries have car-

ried on investigations on sewage disposal but in the field of activated sludge studies, England has the lead of other foreign countries. The English investigators have evolved new types of plants, three of which will be described later. They also use types of screens and other equipment not seen in this country. The cities of Manchester, Birmingham and Sheffield have conducted the most extensive investigations.

In Canada, particularly in the Province of Ontario, there have been several installations of activated sludge plants, mostly in small cities. These plants are reported as operating successfully but there is a scarcity of data on their efficiency and operation costs that makes comparison with other plants difficult.

In California, the City of Pasadena, together with adjoining territory, built an activated sludge plant which was largely modeled after the Milwaukee plant. Lodi has an activated sludge plant of a similar type to the Pasadena plant. The principal difference is in the method of sludge disposal. Another plant has recently been constructed at Pomona. The only other plant in operation in California is at the Folsom Prison.

The U. S. Public Health Service has just completed a plant at the Grand Canyon, which is a very complete small plant. After filtering and chlorinating, the effluent meets drinking water standards.

Taking up now the different types of construction, we find that the usual design for activated sludge plants consists primarily of four units. First, some

method for removing the coarser materials in the sewage; second, aeration tanks; third, a clarifier; and fourth, some arrangement for sludge disposal. Provision is also made for the return of a certain amount of sludge from the clarifier to the raw sewage entering the aeration tank.

The removal of the coarser materials eliminates substances which would require long periods of aeration and gives an influent entering the aeration tank which contains only finely divided substances. This removal is accomplished by the use of bar screens and grit chambers followed either by the use of fine screens or by sedimentation basins. Bar screens consist of iron bars placed from a half inch to an inch apart and remove the large solid particles from the sewage. The grit chambers consist of broad channels in which the rate of flow of the sewage is reduced to about one cubic foot per second. These grit chambers follow the bar screens and remove gravel and other heavy solids.

Several types of self cleaning fine screens are in use which will give a satisfactory influent for the aeration tanks. It has been found that rotating cylindrical screens with short bevelled slots of not less than one-sixteenth of an inch in width give good results. This type of screen is preferred to a mesh screen. There is a tendency toward the choice of screens with a minimum of mechanical devices. Rotating cylindrical screens are used at Pasadena and Lodi. The use of settling basins for removing coarse solids is gaining favor. These have a smaller operating cost but larger initial cost than screening plants and take care of maximum flow conditions more easily. The use of Imhoff tanks as settling basins provides for the digestion of the settleable material and offers an opportunity to return the excess activated sludge there for final digestion and de-watering. Dorr clarifiers are used as settling basins at the

new North Side plant at Chicago. An Imhoff tank is to be used at the new Pomona plant.

The period of detention in the settling basins and in the Imhoff tanks is the same and varies with the nature of the sewage. It is usually about one hour.

In the aeration tanks there are two principal methods of maintaining aerobic conditions in the sewage, one by agitation with air and the other by agitation with mechanical devices.

The aeration tanks for air agitation are rectangular with wide variations in dimensions, being built from 12-20 feet in width, from 70-300 feet in length and from 7-16 feet in depth. Air agitation is usually accomplished by forcing air under pressure through porous plates laid in rows at the bottoms of the tanks. The compressed air is furnished by power blowers capable of about 10 pounds pressure. The pressure necessary is but little more than that sufficient to force the air through the plates. The plates occasionally become partially clogged, requiring greater air pressure and may eventually need to be replaced. The air for the blower is filtered through air filters to remove any substances that would clog the plates. There are two general types of aeration tanks, the "ridge and furrow" and the "Manchester or circulating." The ridge and furrow type has the rows of plates perpendicular to the length of the tanks, each row being separated from the next by a ridge. The ridges prevent the settling of the sludge other than over the plates, where it is caught again in the rising current. The area of the porous plates is from one-fifth to one-tenth of the surface area of the liquid. This type of tank is in use at Pasadena and Lodi.

The Manchester or circulating type of tank has the plates arranged only along one longitudinal side of the tank which arrangement, with the aid of sloping baffles at the top and bottom, produces a

rotating motion of the liquid. This method requires fewer plates, slightly less air, and mixes the sewage and sludge more thoroughly than in the ridge and furrow type. There is also the advantages of cheaper construction, lower power costs, and cheaper upkeep. The circulating type of tank is used at Manchester, England, Indianapolis, Indiana, and will be used in the huge new North Side plant at Chicago, and in the new Pomona, California, plant. The amount of air required depends on several variable factors, but is usually about 1.5 cubic feet of air per gallon of liquid treated. The Lodi plant has an enviable record in being able to use what is probably the lowest amount of air per gallon of sewage of any plant keeping authentic records. During most of the year the air consumption is reported at from .6 to 1.0 cubic feet of air per gallon of sewage.

The detention period for the sewage in the aeration tanks is about six hours for both the "ridge and furrow" and the Manchester tanks.

The sludge which is returned to the incoming sewage, is frequently reaerated or "reconditioned" in separate aeration tanks before it is used. These reconditioning tanks are usually similar in construction to the other aeration tanks. All conveying channels for both fresh and treated sewage are usually built with porous plates in the bottoms to permit a constant aeration and to prevent the settling out of solids which might start septic action.

Experiments with the air diffusion type of plants indicate that oxygen is most rapidly dissolved from the air as the bubbles break on the surface of the tank and dissolves much more slowly as the bubbles rise through the liquid. The main function of the rising bubbles is therefore to agitate and mix the sewage and the added sludge. It seemed possible that some mechanical method of mixing and surface aeration could be found that

would be as successful as air diffusion and easier and cheaper to operate. This has resulted in the manufacturing of different devices for this purpose. At least two of these are worthy of description.

A plant at Sheffield, England, circulates the sewage through narrow and comparatively shallow parallel channels arranged like cross baffles. Paddle wheels in each channel give the sewage an undulating motion similar to that seen in the water behind a stern wheel steamer, the wheels also give the liquid the same frothy appearance. The speed of the current is sufficient to prevent settlement and the length of the channels such that the undulating motion is continuous. This type of tank is claimed to be economical and successful but has not been widely adopted. There is no plant of this type in operation in the United States.

The "Simplex" type of mechanical aerator consists of an upright iron cylinder approximately twelve feet long and two and a half feet in diameter. This is set on legs in the bottom of a hopper bottom tank with about a six inch clearance, which permits a free circulation of the liquid into the cylinder. Over the cylinder but not attached to it, is a revolving inverted cone about five feet across, the upper side of which is fitted with curved blades on edge. An opening is cut in the inverted apex of the cone the size of the cylinder. The cone is about the level of the liquid and throws it out in a spray drawing it up from the bottom of the tank through the cylinder. When the spray strikes the surface of the liquid, additional agitation is secured. The cone is driven from a power unit by a shaft which can be extended to run a series of aeration units. This type of plant has given satisfactory results experimentally in Chicago and Decatur, Illinois, and under operating conditions in a small city in Texas, and a unit is to

be installed in California this year. The Simplex system has been installed in several British disposal plants and is being installed in a few American cities.

The clarifier following digestion makes it possible to decant the clear liquid and collect the sludge. Plain basins with steep hopper bottoms are used, but flatter bottoms with a mechanical device for scraping or squeegeeing the sludge to the center such as used in the Dorr clarifier, are more commonly found. The period of detention is from one to four hours.

The collected sludge contains 98-99.5 per cent of water and is easily handled by air lifts, pumps, or some type of ejector. A portion is returned to the sewage influent and the remainder to the sludge disposal system. The amount of sludge found necessary to return to the aeration tanks for best results varies from 12-25 per cent of sludge by volume. This amount can only be determined by experiment and is usually about 20 per cent.

The satisfactory disposal of the sludge produced by the activated sludge process offers, perhaps, the biggest problem found in such plants. The sludge from the clarifiers is a brown flocculent mass of organic matter of high bacterial content. It is slow to dry on sand beds, does not filter easily, and is difficult to handle in artificial driers. Efforts to get it into a form that can be readily sold as fertilizer, have not met with much success without excessive costs. A large amount of work has been done at Milwaukee, Chicago, Houston, and elsewhere in an effort to make this an economic possibility. Various mechanical filters have been tried in an effort to get sludge in a condition in which it can readily be dried. The treatment of the sludge with various chemicals such as sulphur dioxide, sulphuric acid, alum and ferrous sulphate has been tried in hopes of increasing its rate of filtration and has met with varying success. It is found that sludges from

different sewages react differently under the same treatment. In the arid and semi-arid regions of the Pacific Coast it is likely that sand drying beds will be successful. This method has been used with good results at Lodi. The sludge must be placed in much shallower depths than would be used with Imhoff sludge. The method of sludge disposal in use at Indianapolis and Houston is to pump the sludge to large lagoons. The lagoons are usually under-drained. The sludge decomposes and partially dries with some odor and is flushed into a nearby stream during high water. Another method is to use the sludge for direct irrigation on agricultural land. Perhaps the most promising method is to digest the sludge, after mixing it with the coarse material taken out by preliminary treatment in Imhoff tanks. This not only offers a method for disposal of the coarse material but dewateres the sludge so that it can be more readily dried on sand beds. This causes the loss of some of the fertilizing value and greatly increases the initial cost of the plant. Researches have indicated that two or three times as much sludge capacity is required as is necessary in an Imhoff installation without activation.

The use of activated sludge plants as a preliminary treatment for sprinkling filters offers a promising future. The effect is to relieve the load of the filters, thereby increasing the filter capacity. Surprisingly large increases are possible in the dosage applied to the filters by the use of only limited detention periods in the aeration tanks. This makes it possible to supplement sprinkling filter systems with standby activated sludge units for use during peak periods. These periods of high flow are common in California as in resort cities having a large seasonal fluctuation in population, and in cities with seasonal industries such as canneries and packing houses.

(Continued on page 375.)

The Need for and the Preliminary Draft of a Comprehensive Enabling Act Relative to Public Health and Sanitary Districts

By WILLIAM L. TOWER

President, Board of Trustees Carmel Sanitary District.

Because of the existing conflicts and uncertainty of statutes, because of limitations imposed upon local legislative and administrative effectiveness by existing statute conditions, the control and disposal of matters and problems that by statute are delegated to local district governing bodies, has not been either as effective or as comprehensive as the several enabling acts heretofore enacted intended.

Many districts are now confronted by problems needing solution but which cannot reasonably or effectually be solved under existing statutes, so that the experience and conviction is becoming general that a combined public health and sanitation district act will best solve present perplexities. Therefore, there is offered for your consideration a proposed enabling act entitled:

"AN ACT TO AUTHORIZE THE FORMATION OF PUBLIC HEALTH AND SANITATION DISTRICTS AND TO PROVIDE FOR THE INITIATION, ORGANIZATION, POWERS, GOVERNMENT AND DUTIES OF SUCH DISTRICTS."

A. EXISTING STATUS.

1. In California numerous districts have in the past, and are now developing which by climatic, topographic or other natural causes or population development are and must be considered and governed by one controlling body in matters of public health and sanitation

quite irrespective of the limitations of incorporated or unincorporated territory.

2. In California several enabling acts have been passed providing in whole or in part for the local legislation and administrative machinery necessary to control one or more aspects of these general problems.

3. All of the above enabling acts have been drawn with one problem in view and commonly with the needs of some one district to be provided for.

4. The result is conflicting jurisdiction and authority between the district governing body and that of incorporated territory which may lie in whole or in part within the district and an incomplete covering of the public health and sanitation problems of the district. Consequently there is ineffectual operation in the district's legislative and administrative activities and constant possibility of a controversy between the different governing bodies of the district.

5. The public health and sanitation of any district is a unit composed of a fairly constant homogeneous and interdependent group of problems that need centralized authority for economical and effective local legislation and administration and require for successful supervision qualifications in the governing board and in its administrative officers and employees of a different kind from that needed in the county and municipal governing bodies. Public health and sani-

tation are matters of technical training rather than a general business or professional education and practice.

B. PROPOSED REMEDIES.

6. In the proposed act it is desired to combine the valuable features of the several enabling acts already passed and which deal with these matters and to add new ones, to simplify the existing statute enactments, and to establish the relative powers, duties, and privileges of such districts, especially in their relations to incorporated territory and in general to provide an enabling act which shall be as correct as can be from both the technical aspects of public health and sanitation and from the constitutional and statute provisions thereof.

7. The act must be drawn so that it is applicable to both large and small districts, should be subordinate to the county government and superior in matters of public health and sanitation where the need arises to the authorities of incorporated territory lying in whole or in part within the confines of the district.

8. In scope the proposed act should provide for:

(a) Sewage system creation and maintenance, garbage and rubbish collection, removal and its sanitary disposal. Control and disposal of storm waters where necessary.

(b) Cleanliness and order of streets, roads or other public domain.

(c) Control and abatement of mosquitoes, flies, weeds or other animal, or plant, nuisance or menace.

(d) Provide in conformity with the regulations of the State Board of Health for the proper report, quarantine and control of infectious or contagious diseases and for power to order the necessary preventive measures to be taken by duly qualified physicians.

(e) Provide for suitable plumbing and housing requirements. Power to regulate the construction of cesspools, septic tanks, open privies, etc.

(f) Provide for regulation of food and its sale in stores, restaurants, hotels, etc., and where necessary for their inspection and condemnation.

(g) Provide for the creation, wherever needed or desired, of district clinics, pathological laboratories, hospitals and such other appliances or activities as may become necessary.

(h) Provide for supervision of public places, beaches, saloons, bathing resorts, parks, reserves, road houses, health resorts, etc.

(i) Provide for control, regulation or abatement of establishments or activities that are of themselves or may in practice become a menace to the health and safety of the district.

(j) Provide power to abate or control such other unforeseen acts, states or conditions as may from time to time arise and which in the interest of the health, safety and peace of the community need prompt attention.

(k) Provide that the act shall be construed broadly in the general interest of the public good, thus to promote economy, efficiency and certainty of public health and sanitation within the district.

(l) Provide the general requisite legal methods of accomplishment, for use of improvement and other enabling acts as well as the general provisions necessary for the functioning, existence, continuance, and operation of the district as a body politic.

C. ARGUMENT.

9. The act is necessary in order that there may be initiated and developed proper sewage, garbage, rubbish disposal and proper supervision of public health matters at any and all times that may arise. Such matters to be administered in accordance with the general laws of the State of California and the regulations of the State Board of Health. Excepting that in emergencies or in the appearance

A MODEL PLUMBING ORDINANCE

By C. C. NEWKIRK of San Francisco

Extracts from his address delivered at Yosemite Valley, August 18, 1926.

Modern Sanitation is a development of basic principles forced upon us for the preservation of health through the avoidance of parasitical diseases. It deals with the control of environmental diseases, such as typhoid, dysentery, cholera, scarlet fever, yellow fever, malaria, etc.

Sanitation is the organized effort to keep the world clean, and thereby remove the cause of these diseases. The art and science of plumbing came into being through the struggle of mankind to be clean and to prevent disease. Mankind was many long weary years learning that a crowded city cannot exist without an adequate fresh water supply and an efficient system of wastage removal.

The great plagues of the world were directly caused by the neglect of the commonest sanitary requirement. The periodic scourges which visit the Asiatic countries today are caused directly by the fearful ground pollution through human wastes. In China today it is absolutely impossible to use any green vegetables for the danger of disease infection.

Sanitary conditions in most of Europe today are most primitive as will be attested to by all our oversea soldiers and American travelers. The wastes and sewage run in open gutters and across the sidewalks in a most nauseating manner. In the cities of France, Italy, Spain, Greece, etc., modern sanitation is almost a thing unknown.

Sanitation has been recognized from the earliest times as a most vital requirement, but unfortunately mankind is very prone to neglect anything, even of its own

best interest, if a little unglorious effort is required, so while away back in Moses' time he laid down many sound rules for sanitation it has been the experience of the world that unless sanitation was controlled by the powers of government there was little effort to keep human habitations sanitary.

The history of the principal phase of sanitary development, that of developing and delivering to human habitations an adequate supply of pure water and the removal of the resultant wastes has been most wonderful.

This development became known as the art or science of plumbing, and its history dates back to the days of Rome in the zenith of its power. The great Roman Aqueduct is a monument to the sanitarians of that day and it is a standing warning to us that the clean people are a strong people, for when Rome began to neglect her baths then she began to decline most rapidly.

A very modern example of a physically clean people in a national contest was the Japanese in their war with China. They were physically fit and hence rapidly gave the decisive blows that brought China to her knees.

The statement that a physically clean people are a physically fit people has at no time in the history of the world been more exemplified than in the late world war. The American troops were the peers of them all physically, and the extensive sanitary equipment which was a part of every American military camp was the marvel of every other nationality involved.

To the American plumber and plumbing dealer goes the credit for the development of Modern Sanitation, as we know it, and it is strictly American development of the past forty years. Thank God it is rapidly extending its influence all over the world. However, each step in this development brought with it great and serious problems but each problem in its turn was conquered.

Let us rapidly trace the development of the supply and drainage system of a home as we know it today.

Water, the great necessity of life, was largely developed from wells. It took many years to learn that the yard privy often polluted the waters of these wells and caused much illness and many deaths. The demand for a safer method of waste disposal caused the creation of pipes to convey these wastes to a safe distance from the water supply. Various types of fixtures were developed to aid in the disposal of these wastes and as these fixtures showed various forms of unsanitary conditions they were discarded and others and better were designed, and it may be of interest to you to know that the first all China syphon action water closet was invented in San Francisco by one of our San Francisco plumbers.

With the construction of these drainage lines the problem of foul sewer gases was raised. The practical plumber, after much study, introduced a system of trapping the inlets to these drain lines by which means a water seal was created which prevented the exit of these foul gases from the drainage lines. Problems of syphonage were encountered where these water seals were destroyed and an open channel was again created to permit the passage of the gases through the piping. This condition was corrected by the introduction of a venting system which prevented any syphonage of the water seals of these traps.

Thus you can realize that in a very

short space of time through the careful study by those great protectors of the health of the nation—the plumbers—that you are able to enjoy the wonderful sanitary conveniences which we feel today are most necessary but which thirty years ago were considered a great luxury by those who were fortunate to have such, but which in their crudity were often most unsanitary.

It may be of interest to you to know that the first bath known of in the United States was installed in 1842. The first bath was installed in the White House in 1850, and this one bath sufficed until President Roosevelt entered. Many and curious laws were passed to curtail or prevent the use of baths. Philadelphia placed a ban on bathing from November 1st to March 15th. Virginia taxed each bath \$30.00 per year, etc.

Pure water is the great necessity of mankind, and civilization can be gauged by its use. The plumber designs and installs the means of accomplishing this end. He has been often referred to as the "harbinger of civilization" and the plumbing trade accepts its responsibility to the public to protect the health of the nation through a safe supply of water and an adequate method of waste disposal.

No more definite examples of the acceptance of these responsibilities can be mentioned than the experiences in Baltimore where up to 1912 a public sewage system had not been installed. New Orleans was goaded towards modern sanitation by our National Association at its convention held there twenty years ago because of its fearful unsanitary condition, and our National had the joy of being invited to hold its convention there five years ago to visit a city which was now a clean city. General Gorgas, the head of the Panama Canal project, placed on his staff immediately one of our plumbers to assist in making the canal

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Commissions for Cities of the Sixth Class

By JAMES H. MITCHELL,
City Attorney of Burbank.

An Address before the 'City Attorneys'
Section at Yosemite Valley, August 20, 1926.

The authority or lack of authority of cities of the sixth class to appoint commissions, such as park commissions, playground commissions, etc., is a question which deals most intimately with the doctrine of implied powers of municipalities.

As a preface to my remarks, let me make the following statement covering the broad general principle embodied in this question, and which, in my belief, is supported by the decisions of this and other jurisdictions: Cities of the Sixth class in the exercise of their implied power may appoint Boards, Commissions, Committees or Agents to do certain work and delegate to them sufficient power to perform the same provided:

1. That the delegation of such duties is necessary to the accomplishment of the express powers of the city, and
2. That the delegation of such duties is essential to carry out the objects and purposes of the city as created and established, and
3. That there is no express inhibition against that particular mode of performing that particular duty, and
4. That the exercise of the delegation of power and the performance of the delegated duties shall not call for legislative discretion but only be ministerial in character, and
5. That the duties to be performed by such body or person shall be such as

shall come within the definition of municipal affairs.

ORIGIN OF CORPORATE POWERS.

It is a very familiar rule that a municipal corporation can exercise only such powers as have been conferred upon it in its charter, some constitutional provision or general law; and that any person in dealing with it is charged with a knowledge of each limitation upon its power to contract a liability. The origin of English municipal corporations rested in some instances in royal charter, in others on Parliamentary grant, and in others on immemorial custom, with rights wrung through stubborn resistance to oppression. Powers of such corporations are said to stand upon a different plane from those of California, where in every instance they are measured by the express terms of grants issued directly or indirectly by the state. (18 Cal. Jur. p. 798.)

In California the Constitution, in Article XI, Section 11, has made a direct grant of power to municipal corporations to "make and enforce within its limits all such local sanitary and other regulations as are not in conflict with the general laws."

EXPRESS AND IMPLIED POWERS.

Therefore, the validity of every act of a municipal corporation is determined by an examination of the charter or law defining its powers rather than by a view

of the **purposes** or **results** of its acts. However, authority in express terms is not required for the performance of every municipal act. An express power to accomplish some result carries with it the right to do such subsidiary acts as are incidental and necessary to exercise all that power, except in the instances where such implied power is expressly or impliedly prohibited. The rule, as stated by Judge Dillon, has been generally approved and is as follows:

"A municipal corporation possesses and can exercise the following powers and no others: (1) Those granted in express words; (2) Those necessary or fairly implied in or incidental to the powers expressly granted; (3) Those essential to the declared objects and purposes of the corporation—not simply convenient, but indispensable."

In a word, the familiar maxim that the grant of power carries with it all the necessary incidents to make that grant effectual, applies to municipal corporations with respect to the powers and authority exercised by them. It thus follows that the city may do many things, by ordinance and otherwise, not in terms expressly authorized by its charter or the general statutes of the state. There are many implied powers which attach themselves to municipal corporations, inherent powers which belong to them because they are municipal corporations, just as certain powers are inherent in courts and other public agencies because of the very nature and attributes of their organization. **But this limitation is controlling;** no powers can be implied except such as are essential to the objects and purposes of the corporation as created and established. In brief, the power must relate to some corporate purpose, some purpose which is germane to the general scope of the object for which the corporation was created, or such as has a legitimate connection

with that object and a manifest relation thereto. (Vol. 1, Sec. 357, McQuillin.)

"If we were to say," to employ the language of the Connecticut court, "that they can do nothing for which a warrant could not be found in the language of their charters, we should deny them in some cases the power of self-preservation, as well as many of the means which are necessary to effect the essential objects of incorporation; and therefore it has long been an established principle in the law of corporations that they may exercise all the powers within the fair intent and purpose of their creation which are reasonably proper to give effect to powers expressly granted. In doing this they must have a choice of means adapted to their ends, and are not to be confined to any one mode of operation." (Vol. 1 McQuillin, p. 790.)

However, where a particular mode in which the power on any given subject is established by law, it has been held in *Zotman vs. City and County of San Francisco*, 20 Cal. p. 92, that that mode must be followed to the exclusion of others which may possibly exist. It constitutes the measure of power.

DELEGATION OF AUTHORITY IS NECESSARY.

Touching upon the necessity for municipalities to be able to delegate some of their authority to subordinate bodies or persons for the purpose of performing some of the work required of them, Judge Henshaw, in the case of *Gaylord vs. City of Pasadena*, cited in 175 Cal. 433, at page 436, said:

"Even a casual observer of governmental growth and development must have observed the ever increasing multiplicity and complexity of administrative affairs—national, state, and municipal—and even the occasional reader of the law must have perceived that from necessity,

if for no better grounded reason, it has become increasingly imperative that many quasi-legislative and quasi-judicial functions, which in smaller communities and under more primitive conditions were performed directly by the legislative or judicial branches of the government, are intrusted to departments, boards, commissions, and agents. No sound objection can longer be successfully advanced to this growing method of transacting public business. These things must be done in this way or they cannot be done at all, and their doing, in a very real sense, makes for the safety of the republic, and is thus sanctioned by the highest law. For, as the supreme court of the United States declares: 'Indeed, it is not too much to say that a denial to Congress of the right, under the Constitution, to delegate the power to determine some fact or the state of things upon which the enforcement of its enactment depends, would be "to stop the wheels of government" and bring about confusion, if not paralysis, in the conduct of the public business.' (Union Bridge Co. v. United States, 204 U. S. 364-51 L. Ed. 523, 27 Sup. Ct. Rep. 367.)"

In citing an illustration where certain powers have been delegated to inferior tribunals and officers whose grants of powers have been unheld, Judge Henshaw, in the same case, said:

"The most familiar to which no citation of authority is necessary, are the extraordinary grants of power, without express constitutional authority, by Congress and state legislatures to inter-state commerce and to railroad commissions. While recognizing that the Congress of the United States is the sole law-making power for all of its territory, the supreme court of the United States

has held that the creation by Congress of a commission and the vesting in that commission of power to maintain a government in the Philippine Islands and to make necessary laws for that purpose was not an unconstitutional surrender by Congress of its legislative powers or an unconstitutional transference of those powers to an inferior board."

Having in mind, therefore, that cities of the sixth class, through the Board of Trustees, have the express power

(1) To appoint such subordinate officers as in their judgment may be deemed necessary;

(2) To pass ordinances not in conflict with the constitution and the laws of this state or of the United States;

(3) To establish, build and repair bridges; to acquire by purchase or otherwise lands for squares, parks, playgrounds, and places within the city or town and to approve, equip and maintain the same; to establish, lay out, alter, keep, open, improve and repair streets, sidewalks, alleys, tunnels and other public highways; to cause to be planted, set out and cultivated shade trees therein; etc.;

(4) To acquire or construct, maintain and operate bus lines, street railways, steam railroads, spur tracks, telephone and telegraph lines, gas and water works for light, power and heat, public libraries, museum gymnasiums, parks and baths;

(5) To do and perform any and all other acts necessary or proper to carry out the provisions of the Municipal Corporation Act;

and having also in mind that cities of the sixth class have the implied power to do those things essential to make effectual the powers expressly granted to it and to do those things necessary or fairly implied in or incidental to those express powers;

and also having in mind the statement of Judge Henshaw and of the Supreme Court of the United States that the delegation of a certain amount of administrative authority sufficient to enable an inferior tribunal or person to perform some of the ministerial duties supposed to be done by the legislative body of the cities of the sixth class, or to determine some fact or state of things upon which the legislative body may rely in the performance of its discretionary and legislative duties, is necessary to carry out the express powers and purposes of cities of the sixth class, let us then proceed to find out as to how far the Board of Trustees can go in delegating its authority.

DELEGATION OF POWER MUST RELATE TO A "MUNICIPAL AFFAIR."

It is stated in Vol. 1 of McQuillin, Sec. 355 at page 791, that when the state delegates to municipal corporations the powers of local self-government, it also delegates the power to pass all needful rules and regulations, in the form of ordinances, for this purpose. Charters generally contain specific enumerations of the subjects upon which the municipal corporation may legislate. This enumeration is usually followed by a general delegation of authority to pass all ordinances which may be necessary for the promotion of the police and sanitary affairs of the city, its good order, advancement of industry, commerce, and general welfare of the locality which shall be consistent with the constitution and general laws of the state and local charter.

This latter grant is generally, though not always, considered to give authority to enact ordinances upon all other subjects within the scope of municipal jurisdiction which are not mentioned in the specific enumeration. Of course, the passage of such ordinances must be reasonably necessary for the purpose of enabling the corporation to fulfill the objects of its creation. In other words,

the detailed enumeration is not construed as denying the inherent right of the municipal corporation to make all proper or necessary ordinances respecting matters not specified, unless the intention to do so is clear. **The limitation is that all such ordinances must be confined strictly to corporation or municipal purposes and be in harmony with the charter, constitution, general laws and public policy of the state.**

Bearing in mind that the municipal corporation is created primarily to regulate and administer the local and internal affairs of the place incorporated, in contradistinction to those matters which are common to and concern the people of the state at large, it may be stated as a general proposition that unless expressly authorized the municipal corporation may only exercise such powers as appertain to the local and internal affairs of the municipality. (Vol. 1 McQuillin, Sec. 358, page 796.)

It has been said to be very difficult, if not impossible, to give a general definition correctly defining the term "municipal affairs" and its scope. In general language, a municipal affair is one which refers to the internal business affairs of the municipality. The municipal affairs of any individual municipal corporation are therefore such affairs only as that municipal corporation has the power to engage in or perform, and the municipal affairs of no city may correctly form those of another. Obviously, the term is not a fixed quantity but may fluctuate with every change in the conditions upon which it is to operate. Illustrations of what are municipal affairs may be given as follows:

1. The manner of enacting municipal ordinances and resolutions.
2. Prosecution for violation of charter provisions or city ordinances.
3. The membership of local Boards of Health.

(Continued on page 367)

Session of the Afternoon of August 18, 1926.
Department of
Engineers, Councilmen and Street Superintendents

J. A. VAN ALSTINE, Presiding.

The meeting was called to order.

MR. VAN ALSTINE (Presiding): We have this afternoon just one paper, which is of considerable interest to all of the engineering profession at the present time. Mr. Everett W. Mattoon, author of the Act, the Mattoon Act, and County Counsel of Los Angeles County, will address you on The Acquisition and Improvement Act of 1925 in Action.

Following Mr. Mattoon's address, at 3:15 o'clock we will be met by Mr. Taylor, engineer for the Curry Company, who will conduct those who desire to take the trip about the grounds on a personally conducted tour to inspect the various sanitary facilities of the Valley.

I will now introduce Mr. Everett W. Mattoon.

The Acquisition and Improvement Act of 1925 in Action

By EVERETT W. MATTOON

Author of the Act, and County Counsel of Los Angeles County

MR. MATTOON (Los Angeles): Mr. Chairman and members of this joint session, the subject which I will discuss here today is practically the same as that which I was asked to present on Monday afternoon to the joint session of city attorneys and city clerks and assessors, involving the new Acquisition and Improvement Act of 1925 which was adopted at the last session of our Legislature.

I have observed in a good many of the talks that have been given at this session of the League, which of course does not apply to any that have been given at the present convention, that remind you very much of the varying styles of ladies' dresses both in olden times and at the present time. Some of the talks seem to resemble the old fashioned ladies' garments which cover practically everything and touch upon nothing in particular, and other talks seem to resemble the more modern fashions of ladies' dresses,

that touch on anything but do not cover anything in particular. (Laughter.)

The idea in mind is to treat the subject from three angles: first, discussing the provisions of the Act which were submitted to the Supreme Court of this state for adjudication; second, pointing out the special features of the Act which differ perhaps from any other statutes which are available, which might be of some interest; and third, pointing out the procedural steps and the practical things which present themselves, and perhaps suggest some cautionary things which should be called to our attention.

As you know, since the Act was passed by the legislature and signed by the governor, making it a law, we took the initiative in submitting it to the Supreme Court of this state for a thorough adjudication. That has been done in some other instances of other statutes, but rarely in my experience, for oftentimes

you will launch upon the use of an Act without having it thoroughly adjudicated and the result is that you find yourself and your proceedings very much embarrassed by the attitude and the findings of a court when the matter is finally submitted to the court in a proceeding which has been instituted. Therefore, we attempted at the outset to institute a proceeding, and we took the initiative down south largely because some one had to do it, and wishing to present nearly all, or all and every possibly involved point which could be presented, we selected a procedure something like this: I will describe it very briefly because it illustrates some of the involved legal points which can be involved in a proceeding of this nature. There was a short street which should be extended on through. The part that was already dedicated needed to be widened in some places. It was a stub-end street and it had to be extended. An entire new right of way had to be acquired beyond that point in order to make it a through traffic artery and connecting it to important arteries known as Riverside and Redondo Road and Hawthorne Boulevard. A portion of that area lay within the incorporated territory of the city of Los Angeles; the other portion lay within the unincorporated territory of the county. Therefore it was of advantage to select that proceeding because it presented that point. It included both the widening of an existing street and the acquiring of an entirely new one, which also was a point which we wished to present to the court. It also had this added feature; there was another block within that area which was publicly owned and used for school purposes, and that gave us the opportunity of testing out that feature of the Act, for, as you know, in the past that has been one of the most prolific causes of war in our civil procedure, the existence of publicly owned and used property,

and the imposition of an added burden on the property owners who happened to own property in that vicinity.

Another feature of this test case was that we installed water and gas pipes. That feature of construction had, under the special Improvement Statute, never been submitted to a court and adjudicated in this state. There were various other legal features, but those were the principal ones and the proceeding was instituted by the appointment of an engineer to prepare the specifications. By specifications I mean a very rare use of that term as is usually accorded to it. The "specifications" included a description of the property which was required to be condemned, it includes a map of the assessment district, a map showing the outline of the different zones, and the percentages of the expenses which will be levied against each of those zones. The plans for the street improvement, with their calculations and grades, and then, of course, the *specifications*, as that term is usually used, setting forth the requirements for the various miles of streets and the manner in which the contractor was required to perform his contract, were completed. Those specifications were then submitted by the man appointed to prepare them to the Board of Supervisors of Los Angeles and the Board, after examining them, adopted a part of the specifications. Thereupon, in view of the fact that a portion of this street lay within the city of Los Angeles, and a portion of the assessment district lay within the city of Los Angeles, a certified copy of the specifications was handed to the City Council of the city with the request that the City Council grant its consent to the county board for jurisdiction to carry on this proceeding. This was done and the consent was passed by the City Council and transmitted back to the Board of Supervisors. Thereupon, the Board of Supervisors adopted a reso-

lution of intention—which is the same resolution of intention with which we are all familiar in connection with the 1911 Act, the 1913 Act and the old '89 Act. The matter was then set for hearing and after the required time had elapsed the hearing was had and the Board of Supervisors ordered that this be done. It was then determined that in view of the pressing public need of the improvement that possession should be taken of this strip of land to be acquired, and in the resolution ordering the acquisition and the improvement to be made, the attorney who was directed to file the action mandamus was also ordered to secure immediate possession upon complying with the provisions of the law contained in this Act. The attorney thereupon filed condemnation proceedings at once and two appraisers, two experts, were appointed to appraise this property to be condemned. They thereupon submitted an affidavit, forming their evidence to the court, setting forth that the amounts were reasonably adequate to secure to the owners of the property just compensation for their land as near as the same could be ascertained in the trial of the condemnation action. The court thereupon found that these amounts would be adequate and made this order: that upon the deposit in court of these sums of money the court would give its order of immediate possession under the law, the legislative body to proceed with actually improving that street, long before the land itself had been condemned and the interlocutory judgment in condemnation had been entered.

Thereupon the attorney, under the provision in the Act, reported back this amount that was necessary to be deposited in the court to the Board of Supervisors and the Board of Supervisors set a date for the hearing, at which time the matter was taken up as to whether or not these bonds to secure immediate possession should be issued and sold and the money

taken and deposited in court in order to obtain immediate possession. That hearing was had and the Board decided bonds be issued and thereupon ordered the County Treasurer to issue the bonds. It was at this stage that we presented the matter to the court.

The County Treasurer refusing to issue these bonds, of course, gave us the opportunity of presenting a petition for a writ of mandate compelling him to sign these bonds. The matter was taken directly to the Supreme Court without presenting it to the Superior Court or District Court of Appeals, and the case was argued quite extensively before the Supreme Court, as well as being covered by briefs presented on all points involved, which were printed and filed with the Court, and in due time the Court handed down its decision.

We presented ten quite fundamental points in order to prove in that case all of the most fundamental points thus involved, and the other points which I have mentioned were taken up separately by the Supreme Court in its decision; the other points were decided in favor of the petitioner but were not discussed at length, and the Supreme Court was satisfied with saying that they contained nothing that would jeopardize the validity of the proceeding, and if you want the answer go and look at the brief filed by the petitioner.

Among the fundamental points which the Supreme Court decided in that case are these—and I will sketch them very briefly: The length of time of notice that is required after adoption of the resolution of intention before the initial hearing, which is, of course, the important hearing. The Act does not provide that a certain period of time must elapse between the publication of notice and the date of hearing, but does say that the hearing cannot be set sooner than fifteen or more than sixty days after the resolution of intention is adopted. In our particular proceeding fourteen days elapsed

between the publication of notice and the actual date of hearing. That was a very important point, to decide whether or not that was sufficient to constitute due process of law, and is a very delicate point, but the Supreme Court expressed itself as satisfied that if there is fifteen days—in this case I believe it was fourteen, although figuring inclusive dates it might be figured as fifteen days—the Supreme Court stated that if there is fifteen days between the publication of the resolution of intention and the time fixed for the hearing, that is sufficient to constitute due process of law. Personally, we made it just as brief as possible in order to get an expression of opinion from the Court. I do not think I should have recommended that that time be fixed so as to permit less than twenty days between those two dates. That would be the shortest time I believe is reasonable and fitting to the property owner in order that he may have ample opportunity to present any objections that he has.

The second point decided by the Supreme Court was this: that the method of fixing the amounts of assessments provided in the Act is valid and sufficient. That method is this: Heretofore, as you know, under most of our improvement statutes, the provision is that a separate, definite amount be assessed against each particular lot. Each amount is a first lien, a first encumbrance against that lot and is a prior lien to all other liens except state, county and municipal taxes. That results, as experienced by the many who have had difficulty in disposing of their property with such a lien on the property in the crippling of the property owner to the extent that he must pay that off—for if it runs he will have additional penalties—before he is able to dispose of his property, or, if his property is large and he wishes to subdivide it. There is no provision whereby you can segregate or distribute the assessment. He has to pay the entire amount before he can sub-

divide his property.

The provision of this new statute is that you take an entire district and apportion the expense of the proceeding over that district in accordance with the assessed valuation of the lands included within the district. That is the old ad valorem principle that has been used in numerous cases in the past. It is now still being used in the Road District Improvement Act, but it has been found that it very often works inequitably. Where that burden is distributed in a large district there may be varying factors enter into the assessment of parcels where the ad valorem principle is used, and so it was said it would be wise to make a revision for apportioning the cost and provision was made that the district may be divided up into as many subdistricts or zones as were necessary to apportion the burden more equitably, and the result is that you can take and zone the district and arrive at a more equitable apportionment of the whole expense which is commensurate to the benefits to be received by this particular zone and then tax that proportion as against this zone and another proportion against the other zone, according to how many you have. Now then, this proportion of this whole amount is distributed throughout as against these particular lots according to the ad valorem principle, that is, according to the assessed valuation and the relation between which each lot will stand is determined by that principle. Now that will not work out absolutely correct in every case. However, this is not necessary. It is even a more just and equitable assessment than is required in order to provide due process of law; but to my mind the success of any procedural statute is based entirely upon its practical operation and the equitable distribution of the burden, and great care should be taken in zoning a district and in determining these percentages, and for the first several that are made thorough

study should be made so that the actual working out of the apportionment can be made to demonstrate what the preliminary distribution is going to result in.

But I may pass that for the time being. The next thing decided was this provision for taking immediate possession, which follows previous legislation as amended in 1918. Before the Act was adopted the provision had been used in numerous localities for taking immediate possession where the amount of money to be paid for the condemnation was taken from the general fund of a city or county. The only difference in this case is that the money was raised by assessment at the beginning, and the Supreme Court said there is no reason for holding that it was not contemplated because it is common opinion that in most cases improvements of this kind are made by assessing the particular property benefited.

The fourth point of the decision is that it is perfectly legal and equitable to require that public owned and used property, such as school property, be made to bear its just share of the burden, except possibly in some cases where the legislative body, the council or the board of supervisors, may by special provision in the resolution of intention omit it altogether from the assessment district.

The final point determined by the Supreme Court, a very fundamental one, is this: It is entirely proper and it is entirely legal to extend the improvement beyond any actual boundary line of the city, or cities, and to extend it on into unincorporated territory or into the territory of another municipality and in those where it is of more than local or ordinary concern and becomes a matter in which a large community is interested. Without justifying and supporting the doctrine laid down by the Supreme Court, it is entirely proper for the state legislature, through an act adopted by the legislative body to provide machinery by which

that can be accomplished and delegate to subordinate legislative bodies the power to the municipality to carry through that machinery.

Those were briefly the points covered in the case by the Supreme Court. Now, I will discuss briefly a few of the features of this new statute which differ somewhat from those of the statutes which were formerly available. In the first place we naturally think of that feature involving the condemnation and the acquisition and improvement of a public way in one single proceeding. That should result in eliminating a great amount of duplication of effort and repetition of proceedings with their attendant costs and dealings. That may all be incorporated in one proceeding, one set of specifications, one set of notices and one hearing. That is all that is necessary to consummate the project. The second point which naturally comes to our mind is the question of enlarging the scope and power and making it possible to transcend the boundary line of a city where the scheme is one single project of interest to several municipalities or of an entire given section of the state, and the advantage of this is that it is oftentimes to co-ordinate the efforts of a county board of supervisors or a city council in accomplishing the same thing, or as between two cities where they border each other. It is very difficult to have two proceedings going forward in committee at the same time and with the same object in view, which could be avoided if it is all committed to a single legislative body and handled by that body. Then, too, under the new Act it is possible to acquire public parks and pleasure grounds. Up to this time there is no other Act under which this can be done by a county government and assessed against the district benefited. There is no Act available at the present time where you can acquire parks within a city without the necessity of holding an

election. So the Act has been regarded as being very helpful in that respect. Of course, in a matter of that kind it is my opinion that the matter should be handled in such a manner that many particular areas should be lumped together in one proceeding and the district be a very large one so the burden would be distributed over a large area where the cost would not be so definitely felt by any one single property owner.

Now, another feature is this matter of the distribution or assessment. That to my mind is one of the most important things. I will take that up a little later on in discussing what I view as a cautionary measure to be taken.

The next point is the plan of financing. There is a distinct advantage in the plan of financing for proceedings under this new statute. Those of you who have been accustomed to dealing with the present improvement statutes know of the discounting to which the bonds which are sold are subjected. Under the present plan it is very seldom that a 1911 bond can be marketed at the present time at less than 7% interest, and in the 1911 Act bonds and the Vrooman Act bonds it is very seldom that a contractor does not have to take a discount that will run less than four points and sometimes as many as fifteen points. Now the property owner pays that. That is all provided for in the contract and the burden is paid by the man who owns property. Now the difficulty has been, or the principal reason for that has been, that these bonds are odd denomination bonds. I am not speaking of the Improvement Act bonds of 1915, but the Opening and Widening bond and the 1911 Act bond, the Vrooman Act bonds are all odd denomination bonds in most every case. Each bond represents the amount of the particular assessment levied against a particular lot, and you will have a bond for \$157.75, say. It is not at all unusual to

have bonds of that kind. I don't know whether it is psychology or what it is, but these bonds of odd denomination will not bring as good a price as the even denomination bond or a bond in multiples of one hundred dollars. They do not attract the same class of bond purchasers. In the second place, it has then to collect a one-tenth part, a driblet, of the amount of the principal sum of that bond each year. Next January second he will get back \$15.78 or one-tenth of the principal sum, a little driblet that comes in each year. He has got to reinvest that. He collects his interest twice a year. He has got to go and reinvest that small amount which comes in. The modest purchaser does not like to do this because it is too much of a temptation to spend that one-tenth of the principal amount of the bond, and the small amounts of interest which he has collected twice each year and reinvest those amounts; and it has been found, in all such cases, these bonds are left with some bonding house—and we have several of them in this state which are performing a very distinct and laudable service—they collect assessments and take care of the bond for the purchaser. Unless that is done the small bond buyer has a very difficult and expensive time to profit from his investment in the handling of these bonds. For all these reasons it has been demonstrated by actual experience that the bonds are not as satisfactory and not as desirable from a financial standpoint as the bond which has a definite denomination, as they are under the new Act, a bond which is redeemed in toto. They are not installment payment bonds. One-tenth is not paid back each year. The total sum is paid at the time of maturity and the bond purchaser has the entire amount of the bond to reinvest in its entirety. For these reasons bonds under the new Act have brought prices far in excess of the other bonds and have

been readily marketable at a less rate of interest. In the County of Los Angeles it has been our practice in our county improvement proceedings which follow the 1911 Act to provide for 7% bonds, but it is perfectly easy to sell bonds under the Road Improvement Act, which follows practically the same procedure as this new Act, at 6%, and I question very much whether we would have any difficulty in shaving that a half per cent and sell these bonds at 5½%.

Now, there are two features which I believe should be mentioned at this time with reference to these bonds. As you know, the bonds under the most widely used improvement proceedings at the present time are limited to the term of ten years, or nine years from and after the first day of January from and after the date of their issue. Many times it would greatly lessen the burden if that term were increased to twelve or even fifteen years. Under this new Act the maximum term of any bond issue is placed at thirty years. By that I do not mean to recommend that any issue which we undertake at the present time should be distributed over that period of time, except possibly some large project for acquiring lands for a large city park or something of that kind, an expensive thing which might properly be passed on to the coming generation. It has always been my idea that no bond issue should be extended beyond the life of the improvement, and as you know a twelve or fifteen year period of time is all you can expect an ordinary street improvement to last. It may, however, be distributed over a slightly greater period in the case of an extensive acquisition of property because there you are not figuring on the life of the property; you are figuring on the acquisition of streets, or parks, which do not have a definite life. This, however, is a matter to be watched closely. Do not try and distribute the bond issue

over too long a period of time. If you do you will find a piling up of bond issues which will be a burden on most of the property owners. Now, the new Act, in some instances, and in proper cases where it is entirely fair, provides for deferring the initial payment on the bonds for from one to five years. That is, supposing you were issuing your bonds for a fifteen-year period, you might defer the first payment on those bonds for five years after the date of their issuance. I am speaking, of course, of the first payment upon the principal sum, not of the interest on the bonds. That might have the effect of permitting the readjustment of property values so that the land is benefited and assessed for the improvement on the increase in value to such an extent that the burden at the end of that time would not be an onerous one. However, this feature should be watched very closely and should not be abused.

These briefly are the points of difference between existing statutes and the new Act. There are many other subordinate advantages, some details which have been improved which I will not take time now to discuss.

An attempt has been made to follow very closely the former decisions of our courts in passing upon the various procedural statutes so that we may have the benefit of all that former law.

Now, touching the question of procedure very slightly, let me say this: that the act has a certain advantage in this: that in a large project for your city engineer—as we have a like condition in the city of Los Angeles—where your city engineer is so crowded, so submerged with other work and clerical duties that it is impossible for him to properly discharge his duties in connection with the new proceedings, it is possible under the new Act to employ an outside engineer to prepare the specifications, or an outside person for superintending the work. It

is also possible to engage an outside attorney to carry on all of the duties connected with the condemnation proceedings and all of the features involving the acquisition of the property for the public use.

Now, a suggestion was made Monday which I had considered discussing more at length here today, but I believe there are so many here today who were at the Monday meeting and it is only desirable to discuss it briefly at this time. As I mentioned before, the Act provides that you may take immediate possession of the land which you seek to acquire and thereupon go ahead and improve it immediately without awaiting the completion or consummation of your condemnation suit. Now, that is entirely legal, as explained by the Supreme Court, but it is attended with many practical aspects which are worthy of note. For instance, under our Constitution, and the Act of course followed the Constitutional provision, this money that is deposited in court for the property owner is not available to the property owner himself. In other words, while it is deposited in court as security that he will eventually receive the compensation to which he is entitled for his land, he does not have that money to use in the interim; and while it draws 7% interest for him—which is a little advantage over the present procedure—while it is lying in deposit, nevertheless, if he is a poor man and you are going along the street and widening the street and taking his house, it is going to result in quite a hardship, isn't it? He has no ready cash available to move his house back or to go and provide a dwelling for himself in some other place. Therefore, it is my opinion that the application of that immediate possession provision should be attended with great care, and that that provision, that right, while it is legal, is not incapable of abuse in its practical application. I can

see where it would work considerable injustice to people—that immediate possession provision—but, of course, that is not anything incident to the Act because that power exists at the present time under other statutes.

Now, like most new and constructive legislation which is broad and comprehensive in scope, this Act is capable of accomplishing much good if intelligently applied, especially in those cases which cannot be accomplished under existing statutes and in those things where existing statutes impose such limitation, delay and red tape that they practically defeat their own purpose. But by the same token the Act is also, if made the object of an attempt, unintelligently applied, and an improper attempt to use it for abusive purposes, the Act is subject to abuse, and to that extent its beneficial effect will be jeopardized and the good that may be derived from the intelligent application of the Act will be largely diminished. For this reason, I believe that it is proper to sound a note of warning in the use of this new statute. It seems to be a natural thing for people, when we have some new legislation, to hail it as a cure-all, a potency for all ills, and fly to it as a sort of refuge and use it for any purpose you cannot accomplish by any other machinery. Let us hope this Act may be used to accomplish many things that cannot be accomplished at the present time, but it should be used judiciously, its application should be intelligent and the course well worked out, and I refer particularly to this provision for distributing the burden of the expense.

Now, let us consider for a moment by supposing you had a district with three zones, the first zone bordering directly on the street to be acquired or to be improved, and included only those lots fronting upon that street. The next zone, we will say, extends back a block

and a half, parallel to the street to be widened or improved. Zone three, or "C," we will say, extends back a block and a half farther than that. Now it is not a simple thing to estimate the amount, the proportion, the percentage of the whole amount that should be assessed against that frontage property. If you said, "Well, I think that ought to bear at least a certain per cent," you might be right and you might be very much wrong. You have to sit down and work that out. It is rather too lengthy a discussion to go into here, but we worked that out very carefully in a test case. We found that you cannot impose an inordinate burden on property by making a mistake in guessing the amount of these percentages. Now, as between appraisal of land in each zone. The proportion is according to its ad valorem assessment. Therefore, if your percentage in Zone A, or in the bordering zone, were too small, you might find that because of varying assessed valuations in Zone B the particular lot assessed at a high value, for the same reason, in Zone B might be assessed for a higher rate than the lot in Zone A. I think that will be clear to you if you will actually sit down with a pencil and paper and draw a diagram. You will find those are the reasons why the percentages are the important elements in proportioning that burden. It is not a difficult as it sounds. It has given a good many attorneys a great deal of exercise. They have been very skeptical about it, but the funny part about it is, it worked, and when one case went up to the United States Supreme Court that court found that the method there employed was equitable and just and approximated as closely an equitable distribution as is possible in many instances. You know, the law is very peculiar. You have been going along for years and you have been paying your school taxes and your irrigation district taxes—if you live in an irrigation district—and other kinds of

district taxes, on the ad valorem principle without knowing about it. You cannot go down and pay off these bonds that are outstanding in this district, nor do you ever think about it, but our experience is a matter of our reaction to precedent, and because of special improvement proceedings it has always been possible to go down and lay our hands on a certain definite amount which we can pay off. That has come to be regarded as a necessary incident in the assessment for those kinds of improvements, and it will take some years in the experience and use of this Act in order to let that idea go home. Stranger, in Los Angeles we have handled many districts under the Road and Improvement Act of 1907 where the inflexible ad valorem principle is used and there is no method provided for paying off a portion of that burden, and yet we have had very little difficulty with the use of these proceedings under that Act. Why? Because in county territory the people there, through use and experience with that Act, have come to accept it very largely, so it is largely a matter of using a precedent. The only thing that I am particularly anxious to emphasize is this: that its use be careful, that it be intelligent, that it be fair, and that attempts be not made under this Act to accomplish those things which would reflect on the just distribution of assessments for benefits, for that, after all, is the theory upon which all special improvement proceedings should be based.

Now, on that phase, in summarizing, I would like to read to you what the Supreme Court said about the purpose of the Act, and I think that summarizes it very well. They say it is very apparent that the purpose of this Act "is to provide a simplified plan and at the same time a comprehensive procedure for the acquisition and improvement of public ways, parks and pleasure grounds, whether lying entirely within unincorporated terri-

tory of a county or within the territory of a municipality, or partly in each." That seems to me to give you a bird's-eye view of the purposes as well as anything that could be said. And in addition, I take from briefs filed in the case this statement as defining the scope and the purpose of the Act, and that is this: That the purpose was "to make available, particularly in cases of more than local or ordinary concern, a procedure which will permit the harmonizing and synchronizing of effort, afford a standardized plan and method, eliminate duplication of work and repetition of proceedings, avoid unnecessary expense and much costly delay, and provide a workable and economical plan of financing, less objectional to the property owner and obstructive to him in the use and sale of his property."

Now, if at some future time, by adopting a standardized plan and by following out carefully and fairly applying it, accordingly, we would be able to standardize our proceedings, which would be a marked achievement. That statute we have in California now is different than that in many states. They have many acts under which they act. All have objectionable features. It is humanly impossible to devise anything which is free from objections, but if we find a standardized plan, adopt and follow it, it would add a tremendous saving.

The Supreme Court enumerated in its decision, I think, nine separate statutes which this Act covers in its scope. That is, this Act embraces all of the things that can be done under it that were formerly committed to nine different statutes on the books of this state, with slightly different procedure, different method of applying the assessment burden; so if we could have one standard plan for all this, it is very desirable. Experience will tell. For the time being my advice is not to fly to it, but to use it carefully and feel our way along.

Now, if there are any questions you want to ask—and I know there are. We

are all anxious to talk on practical subjects; but if there are any questions I will be glad to answer them.

I have been asked to announce that there will be a set of forms available for use. These forms cover practically all the questions and denomination features and that sort of thing, but I understand both of the publishing houses which have heretofore published forms under the 1911 Act are going to publish these new forms.

Carlisle & Company and H. S. Crocker & Company are the two companies. They will now be available within the next two or three weeks, and I think it is well to try and standardize and keep as near a standardized form as possible in employing that procedure, so we can go straight. I also assisted in the preparation of these forms which were used in this test case submitted to the Supreme Court.

I thank you very much for your attention, and I am sure, if there is anything I can do down in Los Angeles, if you will write me a letter I shall be very glad to give it all the attention we can and assist in every way possible.

MR. MASON (San Francisco): Mr. Mattoon.

MR. MATTOON (Los Angeles): I think Mr. Mason has some question.

MR. MASON (San Francisco): Mr. Mattoon, of course we are all intensely interested in this new Act. I was going to ask—or rather, it is in the nature of an observation than a question. The equity of your method of spreading assessments rests very largely and depends for its equity upon the original assessment for taxation purposes. Would it not be wise, therefore, to add to the admonition that you have suggested in regard to the use of the Act another one, to be sure that those primary assessments are themselves equitable and based on actual values? Of course, we understand that in Los Angeles county the system of assessment there does establish greater, or approximately a greater relative value.

Now, the question that I have in mind is, should there not be an admonition that careful consideration should be given to assessment values used; that there is a greater relative value placed on those books, to start with, when we have suspicions at least that in many of the counties that relative value does not exist?

MR. MATTOON (Los Angeles): Yes, that is very important. Mr. Mason is intensely interested in that and realizes its importance, especially because he is interested in San Francisco at the present time in the reassessment and revaluation, to be more accurate, of property over the city.

Of course, this assessment is levied against the land without regard to the improvements placed thereon, so that a man is not penalized for building a building on his lot, or he is not to pay any more, but I agree with Mr. Mason that the success of any ad valorem plan of assessment is very largely affected by the standardized plan of assessment. Now, they undertook that in the city of Los Angeles several years ago, and they took a certain business district. I think they took 7th and Broadway, and they said, for example, if that property is worth one hundred dollars then these other lots are worth so much, in relation to the business and that figurative valuation of that particular lot, and they worked it out in that way. Now, it is inevitable that you cannot accurately assess a municipality acquiring a benefit from an improvement according to the assessed valuation, but you can come as close to it and as fairly reliable as you can under any other method, as the Supreme Court said in the Thomas vs. Pridham case in connection with the 1912 Bonding Act, whether you use the front-foot method or some other method.

MR. MASON (San Francisco): One has established a greater value, greater relative value. Would it not be highly beneficial if these assessments were entered

on the book at their full value? Then the established ratio of your assessment to that value would be minimized? In other words, would not the value of the securities that you issue be enhanced by the enhanced proportion of assessed value to the amount of the bonded value?

MR. MATTOON (Los Angeles): I think that is true. Of course, the actual apportionment would be the same, but we have such a varying practice throughout the state. Now in Los Angeles it is said you can usually be safe in saying that the assessed value is around 40% of the actual value. In another county that would be entirely different; and so it would tend to standardize the bonds that were issued in different localities.

MR. MASON (San Francisco): And increase their marketability.

MR. MATTOON (Los Angeles): And increase their marketability.

MR. MASON (San Francisco): And that would also be reflected then in possibly reducing the interest rate upon the bonds themselves.

MR. MATTOON (Los Angeles): I think so.

MR. MASON (San Francisco): My third question is more in the nature of a suggestion. You spoke of postponing the first initial payment on the principal for a period of five years, allowing possibly a time for enhancing the values due to the improvement itself.

MR. MATTOON (Los Angeles): I think I get your thought. Enhancing the productive value.

MR. MASON (San Francisco): Either indirectly or directly due to the improvements itself. In this connection I happen to recall that several years ago I worked out a plan for distributing the cost of an assessment for a large, several million dollar project in San Francisco which involved the reduction of the grade on Rincon Hill, and in working that out I spread the values as you have, by the ad valorem theory, providing zones and

zones and zones, and at the same time I provided that a primary zone might be established and a tax levied that would represent a percentage of the increment, or the increased value, over the assessment as it appeared the previous year. If that was not sufficient, then spread whatever was necessary to make up that particular installment upon the existing ad valorem values. I do not suggest that as being the proper thing to do, but at the same time it does strike me as though a provision of that kind might produce a very equitable result. In other words, a given cost of the improvement produced a given sum in tangible increment and recouping of that expense from that increased increment would be fundamentally equitable. I was wondering, if you reframe the Act, whether or not it might be advisable to incorporate such a provision.

MR. MATTOON (Los Angeles): Of course, it is very difficult to identify and impute to the land each increase in value except benefits which are derived from a particular thing. If you say all the increased value of this parcel of land, on this lot rather, was attributable to the improvement itself, then, automatically that would take care of that, because it would bear an added burden each year.

MR. MASON (San Francisco): It might be as to the district. We understand, of course, that the rate of increase in the valuation of the other parcels of land in the district take place at the same time.

MR. MATTOON (Los Angeles): Yes, that is true.

MR. MASON (San Francisco): I would not make that suggestion except possibly in a special instance like such an improvement as I had in contemplation at that time, namely, a large regrading project which involved, practically, removing a hill, and that naturally would produce an important increment of value, and the recouping of the expense from that value

would in itself be as equitable a method as we could devise.

MR. MATTOON (Los Angeles): Yes, I can see how that would work out very well.

MR. MASON (San Francisco): I don't think I care to burden the members of the audience with any further questions. Those were the three main things in my mind. But I was wondering at the same time whether it would not be wise—not in this Act but by a supplemental Act—to provide a method by which the assessments made for taxation purposes could not be made to some extent compulsory—

MR. MATTOON (Los Angeles): You mean of publicly owned property?

MR. MASON (San Francisco): No.

MR. MATTOON (Los Angeles): Oh, I see—a definite method of assessment?

MR. MASON (San Francisco): In other words, we will say, there is no system of assessment of property at all until you have it through a specific method, either through a subsequent Act providing a method by which assessments could be established by, we will say, a consensus of opinion through the medium of public meetings and the assessor be required to take those values on his assessment roll. I understand the legal decisions that bear on that clearly.

MR. VAN ALSTINE (Presiding): Pardon me for interrupting you, Mr. Mason, but at 3:15 Mr. Taylor, Engineer for the Curry Company is to conduct a trip around the Valley to inspect certain sanitary and other features of interest to the members of the convention, and it may be that a portion of those here might desire to go on this inspection trip and perhaps others would like to discuss Mr. Mattoon's Act.

MR. MASON (San Francisco): I can withhold that question and take it up privately with Mr. Mattoon.

(Thereupon, at 3:20 p. m., the meeting was adjourned until 9:30 A. M., August 19, 1926.)

SESSION OF THE AFTERNOON OF AUGUST 16, 1926

Department of Engineers, Councilmen and Street Superintendents, in Joint Session
with the Health Officers' Section
MR. C. C. KENNEDY, Presiding

(Continued from the August Issue)

Address of MR. JENSEN of Fresno
(Continued).

When you put the engineer in the position to bid for a job, you don't get the best for your money, as a rule. A board that is dealing with a sewage disposal problem should not do this. And particularly is this true with sewage disposal, because to study the problem thoroughly requires a great deal of time and effort, experimental work, calculations and that sort of thing, and the expense the engineer is put to in working out the problem is many times greater than it is for working out paving problems or building problems, and the man you get should be peculiarly fitted both as to training and ability to do the job. You should not, therefore, when you are employing an engineer for the solution of your sewage disposal problem resort to advertising for bids. You should be sure the man has had some experience in the problem, and when you find such a man, hire him and pay him his fee. Then work hand in hand with the state board of health and you will get the best possible result. But even with this the best results are not always obtainable. An engineer may have an idea as to how a plant could be built a little bit better and maybe it would involve the expenditure of a considerable sum of money over the way that has been tried out and been successful, but the engineer does not want to recommend that the city do this because it may be a failure.

So, the matter which has been called to your attention this afternoon by Mr.

Orbison and Mr. Kennedy, that of the state participating in the study of the problem and its solution, is well worthy of your consideration, because, if the things that the engineer has in his mind are right and he doesn't dare to suggest it, that can be found out by this commission of the state and then the city will be benefited by it and will have made a vast saving in money which it would have otherwise been forced to expend. I am convinced that whatever action is necessary to have this League get behind such a plan for the appointment of such a commission should be carried out. If we should pass a resolution now, or if that is a matter to be handed to the resolution committee, we should do what is necessary to place this League squarely behind the issue. I thank you. (Prolonged applause).

MR. KENNEDY (Presiding): I see Mr. Smith in the audience. Mr. Smith, have you anything to say or to submit to this symposium of ideas?

MR. SMITH (Los Angeles): I think the subject has been pretty well covered, Mr. Chairman. There are one or two things which I might suggest, a point that has not been brought out, and that is the fact that a great many of the difficulties have been in the care and operation, however well-designed a plant has been built. I think that is one of the things that requires a little closer attention. I know the state board of health is constantly after boards of trustees of cities to give this more attention. Mr. Gillispie in his paper gave the names of some of them and they could be forgotten. I

think that is one of the big features in sewage disposal.

And this movement for a state commission to study the problem of sewage disposal, I might add my opinion that this work should be handled under the state board of health, or at least have very intimate contact with that work, because they are familiar with all the various problems of the country and, therefore, the conditions which have come about in the last two years and which might furnish a lot of information that would not be available unless the commission was directly in touch with the state board of health. We have gone over all this, and there is your solution. I think the state board of health should have a very active part on that commission, either under its control or that a member of the board of health be a member of the commission.

That is about all I can think of now. However, I want to add that Doctor Gillispie's paper covered the problems wonderfully well, and, as the other speakers brought out, each problem is a little different, one plant designed in one way and one another, each problem as I have found, and I think most of the engineers have found, each is an individual problem, and leading back to that point the state board of health should have more financial assistance to carry on and better co-operate with the various municipalities. I thank you. (Applause).

MR. KENNEDY (Presiding): With regard to the detail of that bill, Mr. Smith, I may say this matter was thoroughly gone over at the meeting at San Francisco, at which Mr. Gillispie was present, as was Mr. H. B. Hammond, Engineer for the United States Public Health Service, and all of the various factors which affect the problem both from an engineering and political standpoint were discussed. We realized the political as-

pects of the problem are equally important with the engineering aspects, if we want to get through legislation which is going to be effective. We realize, too, there is a feeling which is growing up in various states, and which is not absent in California, that we have many, too many machines, and there is a possibility there might be opposition on the part of the Governor or political powers that be toward the establishment or the creation of an additional commission. However, there are certain facts which might be brought out at this point in connection with that which we discussed. First, there is an active organization in the State of California, known as the Fish and Game Commission which is very peculiar, in that it takes tribute from all citizens who think they can catch a fish or shoot a bear. We pay money to the Fish and Game Commission for trying, anyhow, and they have a great deal of money, and the present organization of the Fish and Game Commission is committed to the policy of cleaning up the streams of California and also our coastal waters where, in their opinion, the fishing grounds are being seriously affected. That is one problem, and it is a problem that has to do with the dumping of various dried waste into bodies of water from plants which are entirely outside of any municipal organization. On the other hand it is purely a sanitary aspect of industrial waste within a municipality which—

MR. SMITH (Los Angeles): That is of course, in the control of the state board of health.

MR. KENNEDY (Presiding): It was the feeling of this meeting in San Francisco that both the Fish and Game Commission and the state board of health, through its executive officers should be represented on the fact-finding commission; that all of the data accumulated should be and remain a portion and part of the records

of the state board of health. Whether or not the health work should be carried on by the state board of health was also discussed.

There have been one or two suggestions in that respect which might be of interest here. The first point is that if the state board of health is charged with the duty of finally advising upon and determining the type of sewage treatment installed, and there might be a feeling on the part of the municipality that the sewage plant installed according to information furnished by the state board of health, and which for some reason failed to function, would the responsibility rest with the municipality or with the state board of health. Therefore, it might be better, while this fact-finding commission should be represented both by the Fish and Game Commission and by the director of the Sanitary Engineer's office, it should also contain in its personnel one membership which would extend the activities of this organization and give it the benefit of outside experience and outside advice and at the same time make it clear to all of the people of the state that it was a body for the finding of facts and that the designing of sewage treatment plants and their operation thereafter remained the problem of the municipality.

The details of the act will have to be worked out. It will all be worked out by co-operation by all such bodies as this League, and if the resolution is passed suitable committee will be appointed from this League to draft an act and the engineering section will only be too glad to co-operate with the committee, or might jointly try to work out the details of the act with the committee.

That answers some of the questions Mr. Orbison informs me have arisen on the floor as to the political aspects. We want it understood, however, as far as the American Society of Civil Engineers is concerned, that body is interested in the

result, not the means, and whatever is worked out which will accomplish the purpose of furnishing municipalities with authentic information on a problem which is most acute and intricate. That is the thing we are willing to co-operate in, too.

I see Mr. Barzellotti, City Engineer of Lodi, is here and may have something to contribute.

MR. BARZELLOTTI (Lodi): Mr. Chairman and Gentlemen of the League: I do not know whether there is much more I can say on the subject of sewage disposal. The subject has been pretty thoroughly threshed and a great many truths have been said about it. I do think, however, one of the greatest difficulties for the small towns is to face the expense of the engineer in getting a practical knowledge of the buildings or plants necessary to work out a design and build such a plant. I will say from my own experience. I was extremely interested, after working for it for three years, in getting Mr. Glenn Smith to design the plant at Lodi. It took me three years to convince my Board of the necessity of having a man who had special experience in the business of building special sewage disposal plants. I was city engineer and was busily engaged in paving streets and building septic tanks and so on, and in order to bring about the installation of proper disposal tanks I told the board that the only way to get satisfaction was to install the activated sludge system. Of course, I could tell them that from the scientific knowledge I have of the subject, but I told them I would not start in and design one. There was considerable difficulty because they thought the expense would be too much, while I did not think so. Afterwards, when the system was completed and running I asked the board if they thought that too much expense in expending a thousand dollars when the plant was running. It has never failed to run

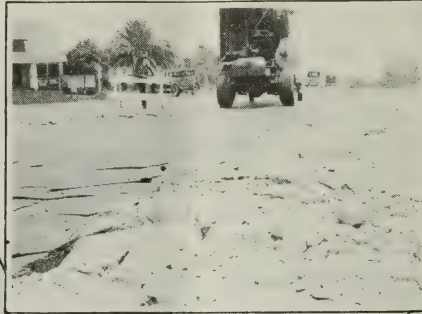
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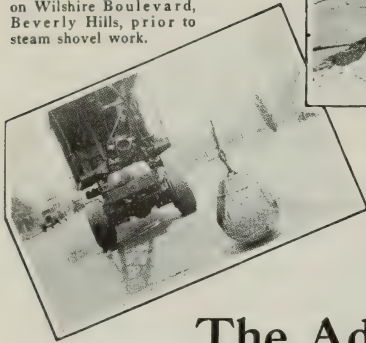
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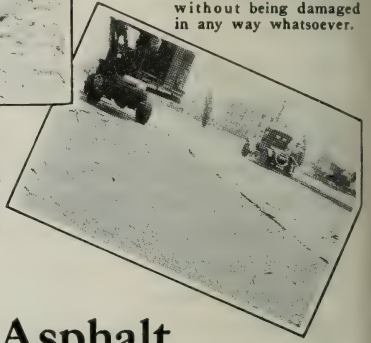
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(Continued from page 359)

for an hour since 1923. But the other time we could not afford. Taxes in the valleys have gone up instead of down. Since we have had that disposal system, which cost about \$6,700 a year to run, we have had some difficulties to be sure, but we overcame those difficulties. Mr. Gillispie can tell you he has been present with me when we were fighting together trying to get the plant in good order. The first year we could not run because we were taken unawares by the canneries starting to run without notice. We were trying to run without sufficient power and it took three or four weeks before we could get it working again, but we have never had any trouble with it since. Last year we were able to run with two tanks and two compressors when the cannery season was on, but this year we are running these two tanks and two compressors and on one occasion our water pump was out of commission for a few hours and this necessitated stopping the tank for a few hours during the peak of the canning season. That set the plant back some. We put in three compressors and in five days the water effluent was nice and clean. That will show you one thing in building up a plant. One of the most puzzling things to my mind is to see you have the proper capacity. If you put up a plant and you think you are saving a thousand dollars by shortening the ridges of your activators you do not save anything. Have a plant with plenty of capacity. We have a plant three times the capacity which Lodi needed and it was me who insisted on that, and Mr. Gillispie wrote us and doubted if we had money enough to run it and we told him politely to mind his own business.

That is about all I could say, but I think a movement of that kind, which will give to the small cities the knowledge or data which they need, without incurring such a heavy expense, without any

expense in fact, is a fine idea and I would personally endorse the proposition. (Applause).

MR. KENNEDY (Presiding): Is there anything else to add to the discussion. As I said before, this meeting will be valuable only just so far as the body of the meeting participates in the discussion of the problem we are interested in.

MR. McDANIEL (Mariposa): Mr. Chairman and Gentlemen of the League: Being the health officer of this county you will recognize I have quite a difficult problem on my hands. I have endeavored for the last three years to conduct an educational campaign along organized sanitary lines and have been up against a pretty hard proposition.

You are among the most hospitable people you will find in any country. They have been busy people who follow various lines of business, from cattle to the lumber business, but they haven't had time to be sanitary. Up in this mountain country it occurs to me we might have a system that would drain itself by gravity, and I would like to have suggestions along that line so we can have a clean place for you to come to. I am a young man growing up with the county and hope to make it inviting for you to come to. Help me make my burden lighter and to make my county a place you will find a pleasure in coming to.

MR. KENNEDY (Presiding): Doctor Gillispie, do you wish to reply to the Doctor at this time? He is asking for suggestions which will help him to make this district more desirable.

MR. BARZELLOTTI (Lodi): I did not get here to hear the gentleman's speech. It might have covered the thing I wanted to know.

MR. KENNEDY (Presiding): The Doctor asked for suggestions which would help him in solving his problem here in this county and I have asked Dr. Gillispie to reply to his request for suggestions.

(Continued on page 363)

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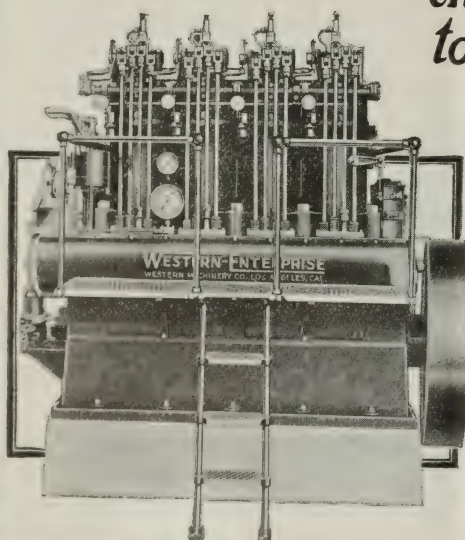
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(Continued from page 361)

MR. GILLISPIE (Berkeley): You are doing a fine job in keeping this Merced River clean, and I will be glad to confer with you at any time and give you whatever help I can. My paper on the subject in general covers your problem, I think, and I have no doubt but what we can arrange to give you a copy of it. I am quite sure you will find the information you want in my main paper, without taking the time now to go over it again.

MR. KENNEDY (Presiding): It is possible that the next paper will present some different view points. At this time we will listen to a paper by Doctor W. L. Tower, President of the Carmel Sanitary District. The district is unincorporated and he has had a lot of problems which have developed there which made it desirable on his part to work out some scheme by which the entire problem of public health in his more or less undeveloped sections can be controlled.

MR. TOWER (Carmel): Mr. Chairman and Members of the League: I realize but too late that you have listened to the last word on sewage disposal. We may have the last word on sewage disposal but it does us no good at all unless we have the legal means of putting it into effect. This is especially true in districts such as Carmel, containing a certain amount of incorporated territory and a large amount of unincorporated territory. Taking the questions of sewage and garbage disposal as the two chief problems in sanitation, you will find that in such districts they are badly handled almost without exception. In the matter of sewage disposal they may be induced to put in a disposal plant and then, through neglect or unwillingness to employ the requisite technical help to properly supervise it, get very poor results. I think cases of that sort have been mentioned in the two very interesting papers presented on the subject this afternoon. In going over the situation

which confronts me I found that about the only method is to throw all the problems that relate to public health and sanitation under one administrative head. That will give a sufficient number of problems for that one group so that you can afford to employ trained help in your supervision and in your operation. I think that is the chief difficulty in some of our communities at the present time. The operation is left to local people who have no training whatever, who think they know a great deal about it, and the result is often disastrous.

Working along these lines I therefore worked out a tentative draft of a new-fangled act—which I shall not take the time to read now—but this is an act to provide for the formation of public health and sanitation districts to take care of not only sewage but garbage disposal as well as infectious diseases, in fact the whole series of problems which the sanitarian includes within his domain. I am convinced, at least in my own district, and I think in many other communities in California, with this new type of legislation their local problems could be very much better handled. This would naturally include parts of existing sanitary districts and perhaps all sanitary districts. If you are going to take care of all the problems relating to public health and sanitation in districts such as Carmel, without resorting to some measure of this kind, you would have to have half a dozen bodies to deal with. I think it is high time that we have this combined public health and sanitation act rather than the great diversity we now have. With this combined act such a district as that of my own could employ a trained sanitarian and perhaps a district physician and we would be better off both from the standpoint of the people, their health, and the difficulties encountered in running sewage disposal plants, as well as other public utilities of that sort, would be very

(Continued on page 365)



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(Continued from page 363)

much less than they are at the present moment.

My object in coming before this body is in the hope that it may see fit to underwrite, as it were, or recommend if they see fit, the promulgation of a movement to put such an act as this upon the statute books of the state of California. I thank you.

EDITORS NOTE: Mr. Tower's paper is further reported elsewhere in this issue.

MR. KENNEDY (Presiding): Now, gentlemen, it is almost five o'clock. Mr. O. G. Taylor, Civil Engineer of the National Park Service of Yosemite Valley, in charge of the engineering features of the Yosemite National Park, was asked to make a short statement of some of the problems he has to meet in Yosemite Park. He begged off and said Mr. Gillispie could much better describe these features than he could. However, he asked me to state for him that the excursion to be held on Wednesday afternoon will be held as per schedule and that he would accompany and would point out all of the engineering features of interest, the garbage incinerator and the sewage treatment plant, in the Park. This excursion will leave the superintendent's office in the New Village at three o'clock Wednesday afternoon. From a casual canvass there are sufficient automobiles to care for all of those who came in on the train and do not have conveyances of their own. However, if it should develop more people want to take the excursion than we are figuring on now, Mr. Taylor will arrange for busses for such as are not provided.

At this time I will ask Mr. Gillispie to make a short statement of things of interest in the Park on behalf of Mr. Taylor.

MR. GILLISPIE (Berkeley): You will see a very interesting garbage incinerator back against the hills on the other side of the Valley. It is a garbage incinerator perfected by Mr. Hammond, Mr. Taylor,

and Mr. Dillman, resident engineer in the Park. It is a very satisfactory one. The load to be handled here is most variable, from that of a population of from five to twenty thousand. If you go around there at the right time you will see bears, too. Then there is a sewage treatment plant down the stream, with the idea of keeping the stream clean. It is all made of heavy tanks and activation on land, and they succeed very well, and knowing what some of the communities have experienced throughout the state I think many of you can learn from a visit to the sewage treatment plant and see its effectiveness in keeping the stream free from pollution. Both items will be very much worth while.

In addition, it is interesting from the standpoint of camp sanitation. They have a great many tourist camps around the park, and from my knowledge of camps around the state they are succeeding excellently here in meeting the problem. So there are pointers to be gotten from that source, too. I thank you.

MR. KENNEDY (Presiding): Is Mr. Van Alstine in the room?

MR. VAN ALSTINE: Here.

MR. KENNEDY (Presiding): I believe Mr. Van Alstine is chairman of the engineers' section, and I believe this section was requested at the general session this morning to appoint its representative on the resolution committee, and I would be very glad to yield the chair to you at this time in that matter of business. I do not know that this section cares at this time to take action on the matter discussed this afternoon, although I, personally, feel this matter should be brought before the resolutions committee of the League, and I think a motion would be in order requesting the member from this organization to prepare and present a resolution to the resolutions committee, if it is the sense of this meeting that such action be taken.

(Continued on page 365)

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4. The compensation and removal of municipal officers.

5. The disposition of municipal funds.

6. The creation of an improvement district and the issuance of improvement bonds therefor.

7. The matter of opening, widening and vacating the public streets.

8. The regulation of railway crossings.

9. The use of streets for secondary purposes, such as the maintenance of telephone and telegraph poles and wires.

10. The supplying of water to its own inhabitants or to outside territory.

11. The sale and distribution of electric energy manufactured by the city.

12. The operation of a municipal market.

13. The licensing and regulation of private patrol system.

14. The imposing of licenses, taxes for revenue for municipal purposes when such power is conferred upon a municipality.

As to the extent which a municipality may go, the limitation placed upon the legislature in The Constitution, Article XI, Section 13, may be a guide. This part of the Consitution states:

"The Legislature shall not delegate to any special Commission, private corporation, company, association or individual any power to make, control, appropriate, supervise or in any way interfere with any county, city, town or municipal improvement, money, property, or effects, whether held in trust or otherwise, or to levy taxes or assessments or perform any municipal function whatever, except that the Legislature shall have power to provide for the supervision, regulation and conduct, in such manner as it may determine, of the affairs of irrigation districts, reclamation districts or drainage districts, organized or existing under any law of this

State. (Amendment adopted November 3, 1914.)"

It has been held that a municipal corporation cannot, without express authority, create an office and select an incumbent and clothe him with the power of a municipal officer, as the office of pound keeper; but officers may be created to attend to municipal functions, although not specifically mentioned in the charter. This power may be implied. Thus, where the City is given charge of streets, the office of street commissioner may be created. So, under the power to preserve the health, a board of health may be created by ordinance. So, a charter providing that it shall be the duty of the city clerk, "in person or by deputy," to attend all meetings of the council, gives implied power to create the office of deputy clerk.

On the contrary, the power to grant, hold, lease, and dispose of property has been held not to authorize the creation of the office of fund commissioner as a department of the city government. So it has been held that express power is necessary to authorize the creation of new bureaus in city departments. (Section 361, pages 800-801, Vol. 1, McQuillin.)

We have taken it as a general rule that **ONLY MINISTERIAL DUTIES AND NOT THOSE CALLING FOR LEGISLATIVE DISCRETION CAN BE DELEGATED.** "There is a clear distinction to be observed between legislative and ministerial powers. The former cannot be delegated; the latter may. Legislative power implies judgment and discretion on the part of those who exercise it.

Duties required to be performed by ordinance are legislative and cannot be delegated. So the fixing of the time when and within which public work is to be done is a legislative function and cannot be delegated to the city engineer.

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(Continued from page 367)

There is a distinction between the delegation of power to make a law, which involves a discretion as to what the law shall be, and conferring an authority or discretion as to its execution, to be exercised under and in pursuance of the law. The first cannot be done legally, but there is no objection to the latter. To illustrate: Power as to locating the foundations and walls of a sub-way, provided for by ordinance, may be properly delegated by the city council to city officials. So an ordinance forbidding the explosion of firecrackers, Roman candles, etc., in city limits "without the written consent of the mayor specifying the time and place," was held not to be a delegation of legislative power. "It was a mere cautionary clause, to the end that such matters might be supervised by the executive officers of the city. It was no more a delegation of legislative power than is the common municipal mode of restraining the carrying of fire-arms except by written permission of the mayor." (Section 384, page 846, Vol. 1, McQuillin.)

So also, the appointment of agents to carry out the authority of the council is entirely competent and does not violate the rule against delegating authority.

Thus the council may create committees or other bodies to investigate and give matters attention, procure information, make reports and recommendations; but the council alone must fairly determine the subjects committed to its discretion and judgment.

As a general rule it may be stated that ministerial functions are those that are absolutely fixed and certain, in the performance of which the board or officer exercises no discretion whatever.

SUMMARY: The law on this question may therefore be summarized and a general proposition stated in somewhat the following form:

The Board of Trustees of cities of the sixth class in the State of California may create such commissions, boards, committees or agents as it may deem necessary, and delegate to such body or person the right and power to perform certain ministerial duties relating to certain municipal affairs where such duties are necessary to be performed in the proper exercise of any of the powers expressly granted to such cities, unless the mode for performing the particular duty has been prescribed by law or unless the delegation of this ministerial duty by the Board of Trustees has been expressly prohibited by law.

(Continued from page 365)

MR. JENSEN (Fresno): Mr. Chairman, I move that Mr. Orbison, City Manager of Pasadena, be appointed a committee of one to prepare such a resolution and present it to the resolutions committee for presentation to the League.

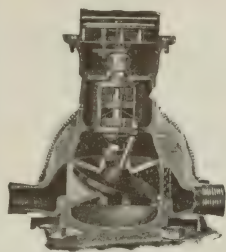
(Motion seconded, voted upon and unanimously carried.)

MR. KENNEDY (Presiding): The motion is unanimously carried and Mr.

Orbison is delegated with the task of preparing such a resolution and present it to the resolutions committee.

Is there any further business to come before this section? There are no announcements in the program. Mr. Van Alstine states he will make his announcement of the nominating committee later on during the convention.

This section will stand adjourned until tomorrow morning.



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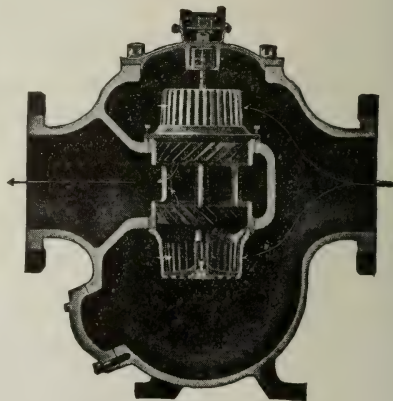
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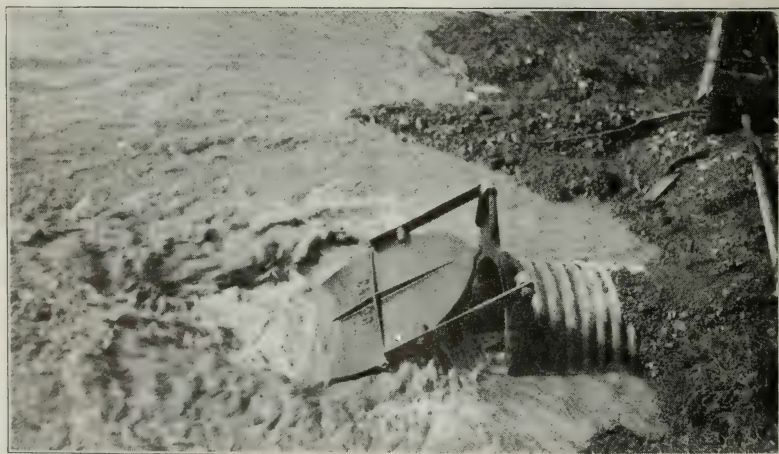
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(Continued from page 340)

zone a safe place for our workmen to pursue their labors. The history of that fever laden district was, that men could not be shipped there fast enough to fill the places of those who perished there. Today the Panama Canal stands as a monument to sanitary science; Cuba, the Philippines, in fact, wherever American influence is exerted, there the first requirement is Modern Sanitation.

The Federal Government has made a very comprehensive study of the infant death rate, and its relation to sanitation. The tabulated results were as follows:

Where there was no water supply in home.....	198 deaths per M
Where there was water supply but no wastes.....	117 deaths per M
Where there was both water supply and wastes.....	72 deaths per M

As a check on these figures government records report that the infant death rate in Baltimore prior to 1912, when the public sewer system was installed, was 150 per M.

As indicated before, our craft in all its branches, the manufacturer, the jobber, and the plumber realize and have accepted their responsibility as the protectors of the health of the nation, and in conclusion I would enumerate to you the many and various efforts put forth in this direction.

Realizing that such a responsibility must be faced by good, sound business men, many and careful surveys have been made to guide these men in their work. We are educating them in the fundamentals of business; have provided them with accurate accounting systems, thus

preventing many failures and the terrible economic losses which follow any such failures;

Have cooperated with the public school authorities in the creation of trade school classes, principally at night, for the training of our apprentices in the sciences involved in sanitation, thus assuring the public of good competent workmen;

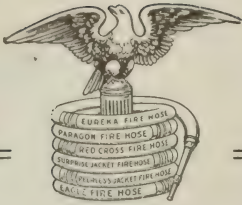
Have cooperated with the public authorities in the development of sanitary codes, simple in the extreme, governing the installation of the very vital water, waste and vent lines within buildings for human abode;

Have cooperated with the manufacturer specifically, to standardize the size, shape and quality of all plumbing equipment, thus saving a great economic loss by eliminating thousands of odds and ends in shapes and styles;

Have raised the standard of quality of all lines of goods, though by the before mentioned standardization have not materially raised the cost, thus creating a great saving to the public because of less repairs and lowered maintenance costs;

And last but not least, we have cooperated in the Local, State and National Associations of Master Plumbers with the Local, State and National Associations of our workmen so that we have maintained long periods of industrial peace and harmony, and have cooperated fully in bringing to the American boy the opportunity to learn and perfect himself into a first class, capable, thinking mechanic so that the development of Modern Sanitation may go on to the end of time making this world a better and more interesting place for us all to live upon.





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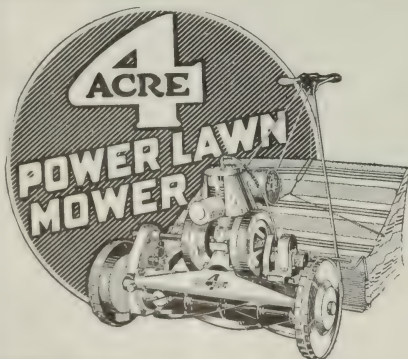
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(Continued from page 338)

of conditions or problems not covered by existing statutes and regulations the action of the board of the district and its technical advisors shall be final and binding.

10. The act is necessary in order to enable existing districts to broaden the scope of their activities and is a development demanded by the constantly changing conditions in the districts. It is necessary to enable existing districts to reorganize under new and broader enabling acts and to enable them to utilize more effectively the several acts relating to public improvement already passed or that may be hereafter enacted.

11. The act is necessary in order to define the status of incorporated and unincorporated territory within the district and create and provide the necessary authority to enact penalties by local ordinance and to provide a simple expeditious police and judicial mechanism to enforce such local ordinance.

12. The act is necessary in order to provide for a secure, easy and profitable

sale of the bonds of such districts and to provide a method of establishing the legality of such bonds. To withdraw the present inhibitory tax rate limitation and to give a reasonable limit of the bonded indebtedness of the district.

D. CONCLUSION.

In conclusion it is to be argued that a well drawn comprehensive act be formulated, presented and if possible pressed to a successful issue in the next legislative assembly in the State of California. If this be successful there will thereby be provided a relief from the existing unsatisfactory conditions, a basis for reasonable progressive betterment in the local control of matters relative to public health and sanitation in the districts concerned, and *pari passu* of the county and state as well.

NOTE—The committee on resolutions recommended favorable adoption of the idea herein suggested and advised that the proposition be referred to the Legislative Committee of the league to work out the details of such an act.

Statement of the Ownership, Management, Circulation, Etc., required by the Act of Congress of August 24, 1912, of PACIFIC MUNICIPALITIES, published monthly at San Francisco, Cal., for October 1, 1926.

STATE OF CALIFORNIA)
County of Alameda) ss.

Before me, a Notary Public in and for the State and county aforesaid, personally appeared Wm. J. Locke, who, having been duly sworn according to law, deposes and says that he is the Editor of the PACIFIC MUNICIPALITIES and that the following is, to the best of his knowledge and belief, a true statement of the ownership, management (and if a daily paper, the circulation), etc., of the aforesaid publication for the date shown in the above caption, required by the Act of August 24, 1912, embodied in section 411, Postal Laws and Regulations, printed on the reverse of this form, to wit:

1. That the names and addresses of the publisher, editor, managing editor, and business managers are:
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Editor, Wm. J. Locke, Chancery Bldg., San Francisco
Managing Editor, Wm. J. Locke, Chancery Bldg., San Francisco
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2. That the owner is: H. A. Mason, Chancery Bldg., San Francisco; Wm. J. Locke, Chancery Bldg., San Francisco.
3. That the known bondholders, mortgagees, and other security holders owning or holding 1 per cent or more of total amount of bonds, mortgages, or other securities are: (If there are none, so state.) None.
4. That the two paragraphs next above, giving the names of the owners, stockholders, and security holders, if any, contain not only the list of stockholders and security holders as they appear upon the books of the company but also, in cases where the stockholder or security holder appears upon the books of the company as trustee or in any other fiduciary relation, the name of the person or corporation for whom such trustee is acting, is given; also that the said two paragraphs contain statements embracing affiant's full knowledge and belief as to the circumstances and conditions under which stockholders and security holders who do not appear upon the books of the company as trustees, hold stock and securities in a capacity other than that of a bona fide owner; and this affiant has no reason to believe that any other person, association, or corporation has any interest direct or indirect in the said stock, bonds, or other securities than as so stated by him.

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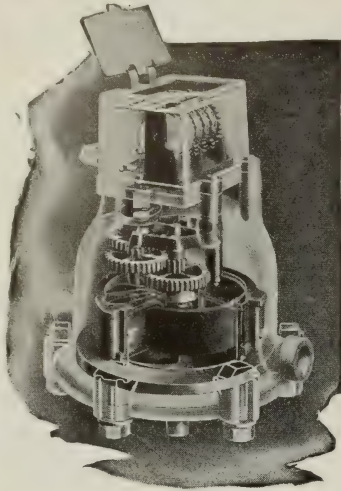
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(Continued from page 336.)

The sanitary disposal of the trade wastes from many industrial plants is one of the biggest problems of the sanitary engineer. The advent of the activated sludge process and its application to trade waste problems, has opened up a new field for investigation. It is found that some of the wastes can be successfully treated by this method if mixed with domestic sewage, but not if treated separately without excessive costs for chemical precipitation. This again, is a problem which varies with individual plants and must be solved by local study of each particular trade waste.

There is no doubt but that the trade waste problems of many cities could be solved by properly designed activated sludge plants and that further studies will perfect methods for the treatment of wastes not at present successfully treated.

The comparatively high operating and maintenance cost of activated sludge plants has been one of the main objections to their adoption. The mechanical types show a power economy and require less labor attendance. So far data on the depreciation charges for this type are too meager to warrant any definite conclusions. It would seem that some form of mechanical aeration eventually will be found that will be the most economical form of activated sludge plant, especially for small installations.

The initial cost of an activated sludge plant is no greater than that of other methods giving as high grade an effluent.

The higher operating cost of activated sludge plants over other methods is due to more mechanical devices, higher power costs and a greater labor overhead. The cost per million gallons including depreciation, interest, labor, power, etc., has been found to run from \$20.00 to \$50.00 in the few plants where data is available. The initial cost of the plants vary from \$10.00 to \$30.00 per capita.

The wide variation in these cost figures serves to emphasize the fact that each municipality has a separate sewage disposal problem of its own and that cost data of other cities may not be at all applicable. Thorough preliminary investigation is necessary to economically design a sewage disposal system, whether it be an activated sludge plant or one of the other types. High operating, repair and alteration costs of many plants are directly due to a lack of preliminary investigations.

In closing, I want to sum up the advantages of the activated sludge method of sewage disposal:

First—There is but little offensive odor or fly nuisance.

Second—A plant can be built on a comparatively small area and near the city if necessary.

Third—The effluent can be easily chlorinated and as it contains dissolved oxygen, it throws no burden on the receiving stream.

Fourth—The effluent has little or no harmful effect on fish or other marine life.

Fifth—The method is particularly adapted to the treatment of sewage containing trade wastes.

Sixth—A sludge of relatively high fertilizing value is obtained.

Seventh—The effluent is well adapted for irrigation of any agricultural crops. It also contains nitrates and mineral salts of appreciable fertilizing value. Where water costs are an important item as in many California communities, it is an economic waste not to use the large volume of water that could be made available by such sewage treatment plants.

The advantages of the activated sludge method of sewage disposal here outlined would seem to more than counterbalance any increased cost over other methods and should result in its increased popularity.

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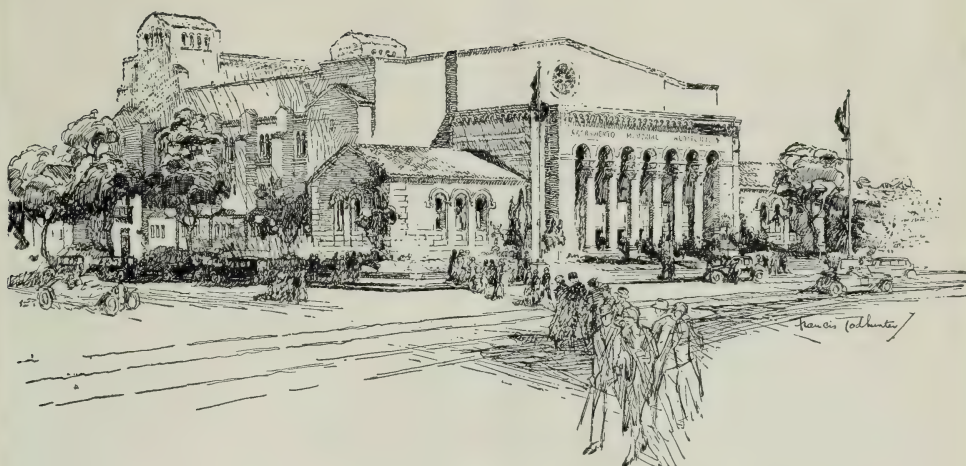
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At Yosemite Valley, California, August 16th to 19th, 1926 (Continued)

THE TRAFFIC PROBLEM

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Entered as second-class matter March 22, 1913, at the Post Office at San Francisco, California, under the Act of March 3, 1879.

VOL. XL

TWENTY-EIGHTH YEAR

No. 10

Editors.....H. A. Mason and Wm. J. Locke
Business and Advertising Manager.....H. A. Postlethwaite
Editorial and Business Office.....707-721 Chancery Building, San Francisco

Advertising Rates on Application

Address all Communications to "PACIFIC MUNICIPALITIES," Chancery Bldg., San Francisco, California

October, 1926

A. Carlisle & Co., Printers, San Francisco

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LEAGUE OF CALIFORNIA MUNICIPALITIES

Organized 1897

Affiliated with the Bureau of Municipal Reference, University of California

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Official Printers: A. Carlisle & Co., San Francisco

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Entered as second-class matter March 22, 1913, at the Post Office at San Francisco, California, under the act of March 3, 1879.

Proceedings of the Twenty-eighth Annual Convention of the League at Yosemite Valley August 16th to 20th, 1926

(Continued)

SESSION OF THE MORNING OF AUGUST 19, 1926

MR. ALLEN W. WRIGHT, Presiding

THE TRAFFIC PROBLEM

MR. MASON (San Francisco): The meeting will please come to order for a moment.

The following arrangement has been decided upon as the order of business for today. The several departments will meet in separate session this morning for the purpose of concluding their business. The Department of City Engineers, Street Superintendents and Councilmen, will meet here after a little while to elect their officers and conclude their business. At 11:30 the entire body will assemble in this room to listen to the department reports or the reports on the election of officers; and final adjournment at an early hour, as early as possible this afternoon. We will probably be able to conclude by 12:30. That will give everybody abundant opportunity to go sight-seeing this afternoon, those of you who cannot get out of the Valley by the regular route by evening. Most of us will want to wait over and leave early in the morning. That will give those an opportunity to enjoy sight-seeing, and I think that arrangement meets with the approval of everyone. The Department of Engineers will now conclude their business. The other departments will conclude their business and make their

final report here at 11:30 when the General Body will convene. Is that satisfactory?

MR. WRIGHT (Presiding): I think that is satisfactory, because most of the departments have not had notice of the final session. Have everybody here at 11:30 so we can start promptly.

MR. MASON (San Francisco): Is Mr. Van Alstine of Long Beach in the room?

MR. BECK (Long Beach): Mr. Van Alstine has gone on a trip, and he asked me to get someone to take charge of the meeting for him and I have asked Mr. Barzellotti of Lodi to act as chairman for Mr. Van Alstine.

MR. WRIGHT (Presiding): Mr. Barzellotti, will you come forward and take charge of the meeting? I will turn the chair over to Mr. Barzellotti.

MR. BARZELLOTTI (Lodi): The Department of City Engineers, Councilmen and Street Superintendents will come to order. The first thing on the program this morning is a paper on Traffic Control by Mr. C. F. Todd, member of the San Francisco Board of Supervisors and President pro tem of the California Traffic League. The paper will be read by Mr. Mason, Mr. Todd being absent.

MR. MASON (San Francisco): Mr.

Chairman, and ladies and gentlemen and delegates to the 28th Annual Convention of the League of California Municipalities. (Mr. Mason then read a paper by Mr. Todd on traffic control.) We regret that Mr. Todd was detained this morning and therefore was not able to present his paper in person. Many of you have met him but I am sure a further acquaintance with the gentleman will leave a favorable impression with you. We of San Francisco who know Mr. Todd respect him very highly, and he certainly has shown a great deal of interest in the matter of traffic control and regulations. His heart is in that work and I am sure he will receive every assistance and encouragement from this organization, because his purpose is a very worthy one, so I bespeak for him and all those associated with him the fullest sympathy and support of this organization in the work. I have no doubt that the committee on resolutions will unanimously report the ordinance which was presented by him for the entire body.

I wish to thank you on behalf of Mr. Todd.

MR. BARZELLOTTI (Presiding): I don't know whether there is any possibility of discussion of the subject since Mr. Todd who wrote the paper is absent, but if any of you gentlemen want to start talking about this proposition in any way, discussion always serves a useful purpose. Captain Murphy of Fresno is a member of the committee on traffic and is present. Perhaps he may say a word?

CAPTAIN MURPHY (Fresno): Mr. President, I don't know that I can say a whole lot. I got in a little bit late to hear the paper which was read, but I will say this: That I tried to attend all the different meetings of the various bodies. I was very much pleased yesterday by the gentleman from Beverly Hills. All these things some way or other mix in with traffic, and what we are trying to do is to formulate a uniform traffic rule or a

uniform traffic ordinance that will apply to traffic conditions in the smallest as well as the largest towns, so that when you drive through a town, the same regulations, the same signs, the same color of paint employed, and the same traffic regulations will apply to each town; so that if you go through a little town like Selma or some other little town, you will find the same regulations there which are in force in San Francisco or Oakland or any of the other large cities. What we want to do is to get this body to endorse a uniform traffic rule so we can go before the state bodies and put it up in some kind of a definite form, and they won't think "Well, this is just a body of four or five men who are trying to put over something or trying to get a few pleasure trips out of it." Each man connected with this traffic problem is wrapped up in traffic, and traffic is one of the most serious problems we have throughout the whole country today. Everybody that drives a machine knows how miserable it is when you drive through one town and break some traffic regulation or make some kind of a blunder and a traffic officer or a motorcycle cop will give you a tag and you have to take the tag to the police headquarters and all that. At the present time it is almost a foregone conclusion, if you do much driving, you are going to make some mistake, or violate some traffic regulation in some town even though you know the traffic regulations by heart of the town in which you live.

If we have a uniform traffic regulation throughout this state all that will be avoided. That is what we are trying to do—to get some uniform traffic rule throughout the state, and if we can put California on the map as the first state that puts that over we will probably have no difficulty in getting the other states of the country to come into line so that whatever part of the country you go to, the same traffic rule or rules will apply.

With this uniform traffic ordinance, which is framed in what you might call a skeleton form, each town can make its own little rule and still be within the limits of the uniform ordinance. That is what we want to do and we certainly hope this organization will throw its shoulder to the wheel. You go along on the state highways today; you are driving along at a comfortable rate of speed, although you are not observing your speedometer, you are unconsciously violating the speed law on that road; a motorcycle man would come up and approach you in a hard-boiled way—although I think you will find throughout the whole of the State of California that the motorcycle traffic officers of this state are respectful and courteous and in every way gentlemen all the way through.

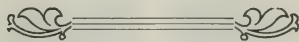
We have been making every effort to make it easier for motorists and when we catch a man that is hard-boiled and does not use any sense of reasoning with the public, he finds himself in some other branch of the service.

In going through a town the first man you come in contact with is probably a uniformed traffic officer. The other officers will probably be walking their beats day in and day out and you never come in contact with them. The motorcycle traffic officer is the first man you come in contact with and your first impression is the impression of that town. If he is a hard-boiled traffic officer you figure right on the jump they are all the same and he may be the only man in that department that is hard-boiled.

On the other hand, if he uses a little

kindness and explains where you are wrong and lets you go on your way, you, the next time when you come to that town, will have a very friendly feeling toward that town and toward every police officer in it. By sifting out of various police departments we are getting a force of men whom we believe are a credit to the service and who are, in every respect, capable of handling the situation, and showing every consideration for the motorist, especially the strangers, and it is with this idea in view that we are trying to put over this uniform traffic ordinance, and in that way you will find that the motoring public will get through the towns much quicker and get to their destination much quicker.

CAPTAIN HEATH (Los Angeles): I won't attempt to go into a discussion of the details of the traffic regulations. The only thing I want to call to your attention this morning is the fact that the traffic problem has become a very serious one, so serious that Secretary Hoover called a National Conference on the subject, and after the first conference they realized that the first big step to be taken in the solution of the problem was to enforce the law. As a result of that committees were appointed, and at the last session the principal thing that was accomplished was the adoption of a uniform set of traffic laws which they have recommended be adopted throughout the United States. What we are striving for is to continue that work and to go even further, as Captain Murphy has told you, and create a uniform traffic ordinance throughout the State of California.



The Traffic Problem in the State of New York

An address delivered before the 17th Annual Meeting of the Conference of Mayors and other Municipal Officials of the State of New York, held at Schenectady, June 16, 17 and 18, 1926.

By W. GRAHAM COLE, Safety Engineer
Metropolitan Life Insurance Company

With the tremendous increase in the use of automobiles within the past few years, the safe and expeditious movement of traffic has become one of the most important problems confronting the authorities of American cities. Streets which were designed to accommodate vehicles drawn by faithful old dobbie at a speed of only a few miles per hour, were suddenly forced to carry thousands of miniature locomotives capable of high speeds and controlled by the whims and fancies of individuals, many of whom a few years before hardly knew the difference between a steering wheel and a carburetor.

It is obviously impossible to redesign entirely the streets, particularly in the business portions of cities where traffic congestion is greatest and where property values are high, in order adequately to accommodate this new traffic. It is possible, however, to make some changes at present, to prepare plans for essential future changes, to consider the needs of traffic in laying out new streets and to impose certain control methods which will furnish some relief to congestion in the overcrowded streets of the modern city.

The suddenness with which the traffic problem has overtaken municipalities has of itself imposed an additional problem in the city administration—that of securing necessary funds for properly handling the situation. The individual

motorist and pedestrian are quick to express themselves regarding the congestion and dangers of the streets and to condemn those in authority for the existing conditions. On the other hand, public opinion does not appreciate the fact that the traffic problem is one which requires proper financing and is really as much a function of the city as the policing and cleaning of the streets, the fighting of fires, the teaching of children, health administration and the other city duties which have been undertaken since the very beginning of city life.

The city administration, therefore, has two responsibilities in regard to traffic: first, to relieve conditions as much as present circumstances will permit and second, to gradually educate public opinion to the point where the requirements of traffic will be appreciated in their true proportions and adequate funds and cooperation provided. As this latter responsibility is one, the entire fulfillment of which will require years of definite effort, the first is the one which demands immediate attention. It is expressed in the subject upon which I have been invited to speak this evening—namely, "How to Solve the Traffic Problem at the Least Expense." As this problem is an ever changing one, its complete and permanent solution can never be obtained. Frequently the cheapest methods are in the end the most expensive. Permit me, therefore, to change the subject

slightly to read, "How to Provide the Greatest Possible Relief to Traffic with the Funds Now Available or Possible to Obtain."

It was with this question in mind that your organization proposed, early last year, that a traffic and public safety demonstration be made in some city in New York. About the same time the Metropolitan Life Insurance Company, insuring more than twenty-three million lives in the United States and Canada, most of whom are residents of cities, determined to give definite study to the traffic problem, particularly as it affected public accidents.

Arrangements were made for your Conference and the Metropolitan to join in conducting a demonstration and the city of Albany was selected. Your late President, William S. Hackett, who was Mayor of Albany at the time, was deeply interested in the undertaking and gave to it his full support and cooperation.

Early in January, Mayor Hackett appointed a Traffic Commission, composed of the City Engineer, the Corporation Counsel, the General Manager of the Traction Company, the Traffic Manager of the Delaware and Hudson Company, the Signal Engineer of the New York Central Railroad, a representative merchant and the Secretary of your Conference, who was named Vice-Chairman of the Commission. I had the pleasure of working with this body in a consulting capacity. The Traffic Commission as thus appointed was continued in office by Mayor Thacher. It has completed and submitted a series of ten reports dealing with the traffic situation and recommending a continuous public safety campaign. In order to make the findings of the Commission available to other cities as an indication of the procedure adopted, the principles involved and the type of information obtained, the reports together with explanatory notes and

drawings are being published by the Metropolitan for distribution.

The scope of the study made by the Albany Traffic Commission is indicated by the titles of the ten reports which were submitted to the Mayor, as follows:

- Analysis of Street Accidents.
- Parking and One Way Streets.
- Routing of Through Traffic.
- Boulevard Stop Streets.
- Automatic Traffic Signals.
- Regulation of Bus Stops.
- Regulation of Pedestrian Traffic.
- Enforcement of Regulations.
- Permanent Traffic Organization.
- Plans for Public Safety Campaign.

In making the traffic study the Commission felt that the problem was essentially an engineering one and that recommendations for its effective solution should be based on accurate facts and engineering principles. It proceeded, therefore, to gather such material as was deemed essential.

A report of automobile accidents in the city for the year 1925 was obtained from the Bureau of Motor Vehicles of the State. This report was furnished on the form utilized by the Bureau in preparing monthly and annual reports of the accident experience of the state and of individual communities. Similar reports may be obtained by any municipality in New York State. From this report an analysis showing the most important phase of the public accident problem was prepared and submitted to the Mayor. The following facts developed by the analysis are of interest. Sixty-three per cent of the persons killed and fifty-six per cent of those injured in Albany as a result of automobile accidents were pedestrians. Forty-six per cent of the automobile accidents occurred on straight level streets or roads between intersections; seventy-five per cent occurred on dry streets or roads; seventy-six per cent during clear weather and sixty-two per cent

in daylight. In other words, about sixty-five per cent of the accidents happened under the most favorable driving conditions possible. Only three and seven-tenths per cent of the vehicles involved in accidents were reported as having defective equipment. Twenty per cent of the motorists who had accidents during the year were charged with violations of traffic laws and forty-three per cent were reported as being inattentive. These figures proved that the larger proportion of automobile accidents are the result of human rather than mechanical failure. They clearly indicated the need of public safety work to arouse a greater interest among the citizens and to obtain their cooperation in making the streets safe.

In order to obtain actual facts regarding the quantity of traffic moving on various main thoroughfares, the variation of traffic during the day and the relative importance of each type of vehicle, the Commission considered it essential that a traffic count be made. With the assistance of the City Engineer, thirty-six significant locations were selected and arrangements made with the local Council of the Boy Scouts of America to place boys at these locations in order to count the traffic flow. Convenient sheets were printed for the use of the boys in tallying the count. These sheets provided for the counting of traffic by quarter hour periods, by direction and by type of vehicle. The counts covered the period from 8 A. M. to 6 P. M. and were made on a Thursday and Saturday in the early spring before the start of the heavy summer tourist travel in order to indicate the movement of vehicles local to the city and the immediate surrounding country.

The information thus obtained assisted the Commission to determine the relative intervals of timing for the suggested automatic signal system and proved to be an aid in the preparation of a report relative

to the rerouting of through traffic. From the traffic count figures a traffic flow map was prepared, showing in a graphic manner the streets of greatest travel and the main routes used by vehicles entering and leaving the city and approaching the business district. Another count is planned during the summer to check the correctness of the timing system and the efficiency of the rerouting recommendations.

Feeling that effective traffic control was dependent in large part upon the attitude of the general public and the cooperation which the city authorities could obtain from it, every effort was made to instill a feeling of confidence in the public mind and to request suggestions from the persons most interested in the particular phase of the problem under consideration. On several occasions members of the Chamber of Commerce Traffic Committee were invited to attend the meetings of the Commission, at which time the work of the Commission was explained in detail and the approval and support of the other Committee obtained.

Due to the congested condition of the business district it was decided that first attention should be given to the need and designation of one way streets and to the parking problem in this area. A plan was prepared and included in the Commission's first report, in which certain narrow streets were selected for one way traffic only, in such a way that the direction of movement would be continuous throughout the length of these streets and would allow for expeditious movement around the near-by territory.

After considering the needs of the merchants and also the effect on congestion, certain locations were designated where parking should be prohibited. It was recommended that parking within the business section of the city be limited to one hour within any one block bounded by two intersecting streets and including

both sides of the street upon which the vehicle is parked. The Commission felt that a shorter period would be of little additional benefit and would cause a greater agitation of traffic, whereas a longer period would considerably reduce the available parking capacity.

Parking or stopping within the city limits, except for an emergency, was prohibited within ten feet of a fire hydrant, unless the vehicle is in charge of a competent driver; within fifteen feet of the extension of building lines at street intersections or fifty feet where the loading of street cars and busses is permitted; within fifteen feet of either end of a safety zone. Parking was prohibited in front of, or within fifteen feet of either side of the entrance of a place of public assembly; across any private driveway; within three blocks or six hundred feet of a burning structure; in front of all public and parochial schools between 8:00 A. M. and 5:00 P. M. on school days and on all streets from 2:00 A. M. to 5:00 A. M. without special permission from the Police Department. A map was prepared showing graphically the suggested one way street and parking regulations and this was published in the local press. It was interesting to note that at a hearing held subsequent to the publication of this map, only four complaints were made, and these were easily handled. Subsequently, the Commission's recommendations just referred to were unanimously passed by the Common Council.

In several instances, suggestions were made for the widening of streets, by moving the curbs back where the sidewalk widths permitted. It was also recommended that white lines be painted or placed on the street surface to designate cross walks within the main business district, to indicate the place where vehicles should stop in the rear of safety zones, and to designate the parking places where right angle parking is permitted.

Plain and conspicuous signs, located where they may be seen clearly, were recommended to designate one way streets and parking limitations.

Albany being located on many main thoroughfares receives a very heavy through tourist traffic from early spring until late fall, which heretofore had caused considerable increase in traffic congestion in the business district. A number of merchants stated that they would prefer having the streets in the business district kept open for local traffic than to have them crowded with through non-stop traffic. The Commission felt it advisable to recommend a series of through route streets which would divert this type of traffic around the business district. In its report dealing with this subject the Commission recommended that clear signs be posted in such a way as to encourage through motorists to utilize these routes, while at the same time indicating the direction to the hotels and business district.

The fact that certain highways in a city are of paramount importance in a traffic system and that vehicles operating in and entering them need proper protection led the Commission to recommend the adoption of boulevard stop streets or main arterial highways. It was felt that the reasonable use of this plan would expedite traffic and assure greater safety. The necessity for the rigid enforcement of the speed and right of way regulations provided in the State law, the adequate posting of intersecting streets and provision for breaking the flow of traffic in the boulevard streets by means of traffic signals was stressed by the Commission.

In addition to designating certain streets as boulevard stop streets, it was recommended that boulevard stop signals be placed at certain other intersections where the accident spot map indicated a number of serious accidents had occurred in the past. Feeling that the success of

the boulevard stop plan depends upon the distinct and adequate designation of the stop locations, as required by State law, the Commission recommended that a signal, to be illuminated at night, be placed inside the curb, on the right side of each intersecting street near the intersection, and that a white line be painted or placed on the street surface, indicating where the stop should be made. The following inscription was suggested for the signals:

Boulevard Street
STOP
then
GO

After studying the flow of traffic as indicated by the traffic count recommendations were made that automatic signals be placed at a number of intersections in the business district and in the outlying territory. At most of these places a standard form of signal was suggested but at five locations it was necessary to make a thorough study of conditions and to offer definite recommendations. Maps of the intersections were prepared and the various traffic routes laid out upon them. A system of lights was then designed, adequately to control these various lanes. These charts, together with blue prints of the suggested layout, were submitted with the report.

The Commission recommended that a two light system be used for all automatic signals, feeling that this plan provides for greater safety than does the three light system. It was suggested that in place of the amber light used in the three light system to indicate the clearance interval, arrangements be made to lap the signals so that a red light will show in both directions at this time.

A suggested ordinance, patterned after the model regulation suggested by a special committee of your Conference, was submitted for the regulation of pedestrian traffic. Briefly, it stipulated

that a pedestrian should obey the traffic signals and should only cross the street at street intersections, within the main business district, and in streets where surface cars operate. It also included a series of safety suggestions for pedestrians.

In its report regarding the enforcement of traffic laws the Commission emphasized the fact that no matter how perfect and practical the traffic regulations were they would be useless unless rigorously and continually kept in force and that no matter how competent the police might be the efficiency of law enforcement would be impaired if the Court was not kept sufficiently clear of minor cases so that it could cooperate effectively. It was proposed, therefore, that the police be instructed to make arrests for only the most serious violations which were grouped as follows:

1. Failing to stop for surface cars while taking on or discharging passengers.
2. Failing to report accidents.
3. Minor operating automobile.
4. Not having proper license plates.
5. Operating automobile while intoxicated.
6. Reckless driving.
7. Speeding.

For other infractions of the traffic law it was suggested that the drivers be instructed to report at police headquarters where, if it were the first offense, the officer in charge would firmly impress on the mind of each person that he had violated a regulation, explain the violation and dismiss the person with a warning that a second complaint would necessitate court action. It was felt that this would considerably relieve the congestion in the Police Courts. It was also recommended that the Department of Public Safety hold a traffic regulation class for the instruction of policemen. The following subjects for use in this class were suggested:

1. Provisions of General Highway Traffic Law.
2. Provisions of State Motor Vehicle Law.
3. Provisions of Local Traffic Ordinance.
4. How to detect illegal headlights.
5. Uniform hand signals for traffic officers.
6. Commission's recommendations for law enforcement.
7. Reporting accidents.
8. Strict but courteous enforcement.

One of the causes of traffic congestion in Albany is the stopping of busses opposite safety zones and places where street surface cars take on and discharge passengers. The surface cars now stop at the near side of an intersection and it was recommended that busses be required to stop at the far side, except at designated locations where conditions make this necessary. In such cases they will be required to stop fifteen feet behind the safety zone or street car stop.

The need of a continuous engineering study of traffic conditions was emphasized repeatedly throughout the deliberations of the Traffic Commission and subsequent to the other reports, it was recommended that the city create, as soon as possible, a permanent Traffic Bureau with a single head, appointed by the Mayor, and suggested that this Bureau be assisted by an Advisory Commission consisting of the Chairman of the City Planning Commission, the Commissioner of Public Works, the Commissioner of Public Safety and two citizens interested in, and conversant with, the problems of traffic.

The final report of the Commission set forth the need for an organized and continuous public safety campaign. It was suggested that this work be conducted under the general direction of the Traffic Commission or the permanent Traffic

Committee, when the same was appointed, that the existing civic, service and commercial organizations of the city be requested to cooperate with the movement and that each one be asked to undertake some specific portion of the program as a part of their regular organization work. The following activities were suggested for the campaign:

1. Monthly safety posters.
2. Safety instruction in the schools.
3. Safety on the playgrounds.
4. Conduct of a course in safe and efficient driving for drivers of commercial vehicles.
5. The use of safety films in news reels in moving picture exhibitions.
6. The organization of a safe drivers' club.
7. The cooperation of the churches.
8. The inclusion of safety on the program of all organizations.
9. The conduct of community safety rallies.
10. The conduct of an industrial safety course for superintendents and foremen.
11. The preparation and distribution of interesting safety literature directly into the homes.

In this describing the work of the Traffic Commission in Albany, I have endeavored to indicate the general principles which were followed. In order to produce successful results the entire public and traffic program of any city must have the active cooperation of all the various interests in the community. The Albany study indicated how this cooperation may be obtained, and by procuring the actual participation of existing agencies it showed how the program may be carried out at small expense to the city and without the necessity of raising a large central budget.

Helping to Solve the Parking Problem

The accompanying picture shows a cross section of the Lancaster spiral floor building which has been recently invented for the purpose of parking automobiles and relieving the congestion caused by parking alongside the curb.

The curb parking of automobiles causes such serious congestion of street traffic that many cities are restricting and partially prohibiting such parking in business sections, to the great inconvenience of automobile users and a loss to business in those sections.

There is space for only 32 cars along the two curbs of one city block, allowing twelve blocks to the mile of street and leaving open spaces at fire hydrants. This relatively small number of cars standing along the curbs congests traffic without beginning to satisfy the demand for parking space.

According to the inventors what is

needed to solve the parking problem is a number of buildings in the congested districts of every city, each one of a type fulfilling the special requirements for parking of automobiles. In capacity, rapidity of movement of cars and flexibility of use, each building must present an economic proposition, fully justifying its erection on valuable real estate.

Each must be distinctly a new type of building and not a modified barn or warehouse, just as the automobile is distinctly a motor vehicle and not a horseless carriage. Each must meet the needs of the times for housing these motor vehicles and be well adapted for numerous other uses.

The Lancaster Spiral Floor Building meets these requirements. It occupies a relatively small ground area compared with its large capacity. It may be built any height conformable to local building



regulations. It does not have separate ramps, but *its continuous spiral floor* gradually ascends from the ground level to the top of the building, as clearly shown by the illustration on this page. Its spiral floor permits rapid travel of motor vehicles into and out of the building on an aisle or driveway wide enough for two lanes of travel, under conditions similar to those on streets and highways and practically identical to those met in an ordinary one-story garage. This driveway circles round a central storage space and outside of the driveway is ample storage space on the spiral floor for a large number of cars. Adequate stairways, passenger elevators and toilet facilities are located in or one more corners of the building.

In the Lancaster System stores and offices may be combined with a garage and the latter be kept entirely separate from the offices and stores. This permits the most profitable use of property. One such combination is shown by the drawings on this page. This arrangement is suitable for a 20-story building with the lower six stories devoted to garage, stores and offices, and the upper 14 stories devoted to offices. All offices are completely separated from the garage.

The perspective view shows a Lancaster Building 115 feet square, which is in excess of minimum dimensions required, having a capacity of 51 cars per story, or 510 cars for 10 stories. This equals the number of cars that may be parked along both sides of the street for the length of 16 city blocks, or one and one-third miles.

In this building, 500 cars can enter or

leave the building at the rate of 15 cars per minute, or the entire building may be filled or emptied in 33 minutes. It is entirely feasible, where such a building is located on a corner, for entrances and exits to be on two streets or on one street and an alley, in which case, by using the full width of the driveway and passing through both exits, 500 cars can leave the building in 17 minutes, traveling at eight miles per hour and be spaced 47 feet apart, or in 25 minutes, traveling at six miles per hour and 53 feet apart.

A patron may drive his own car directly to its parking space and return by passenger elevator to the entrance. When calling for his car, he may take the passenger elevator up to where his car is parked and drive it out himself. Patrons do not have to turn their cars over to attendants nor wait on attendants to get their cars.

The spiral floor feature is also especially advantageous for a building to be used for display or exposition purposes or for a building devoted to small stores or shops. Patrons may be taken up by elevator to any story and will find it easy to walk along a continuous and gradually descending aisle, passing exhibition booths or the show windows of individual stores, shops or offices. It is equally well adapted to buildings to be used for light manufacturing operations, where raw materials are taken to the top by elevators and emerge at the lower level as finished products. It is also adapted to buildings to be used for storage purposes. For some of these special uses, one or more elevators may be placed in the center of the building and the floor areas outside of the spiral portions made level.



Session of the Afternoon of August 17, 1926
 Department of
 Engineers, Councilmen and Street Superintendents

J. A. VAN ALSTINE, President

DISCUSSION ON BUILDING CODE

The meeting was called to order at 1:30 o'clock p. m.

MR. VAN ALSTINE (Presiding): Is Mr. Garrard of Richmond in the room? (No response). The convention yesterday had a number of specialists on its program, largely on city planning, county planning, and matters of sanitation. This afternoon we have a complete change of program. We only have two events. We will hear first of the work being done and to be done on a uniform building code for Pacific Coast cities. This is a matter which everyone here should be heartily interested in, whether you are connected with the design of buildings, the construction of buildings, or the administration or inspection of building work.

The idea of a uniform building code for Pacific Coast cities was first proposed in San Francisco in 1922 at a meeting of the state building inspectors conference. At that time Mr. A. C. Horner, then building inspector of Stockton, was appointed executive secretary. Mr. Horner has carried on this work as executive secretary up to a few months ago, at which time due to his resignation he was appointed City Building Inspector of Long Beach, and in order to carry on the work Mr. Horner has brought his report of each of the different meetings which have been held in different parts of California. At the present time arrangements have been made for the printing of a tentative draft of the code. Mr. Horner will appreciate meeting the various officials and have their criticism of the draft with a view, eventually, of its

adoption by the various cities. Mr. Horner.

MR. HORNER: Mr. Chairman and Ladies and Gentlemen, I am sorry I haven't been able to think up something like our friend Mr. Newkirk this morning in talking of his proposed sanitary law, when he said that the downfall of the Roman Empire was more or less predicated on the fact that they did not enforce their sanitary ordinances. I could not think up a good one along the same lines which would be applicable to a uniform ordinance for building regulations, but I do have a little different view point and a little different problem to present.

I am more or less of a pinch-hitter this afternoon. The scheduled speaker, I believe, is not here, and I have no idea of just how I shall present my subject.

Sitting through the session yesterday and today, I conceived the idea that perhaps some of you do not realize how many kinds of municipal building regulations we have had in the world. I do not propose to go into that matter, but I do propose to put before you this question: Is Building Regulation Necessary?

A great deal could be said on that one subject—is building regulation necessary? And how should it be regulated? Shall we go to the extent of making ourselves insurers and guarantee the paint that a man puts on his house by passing an ordinance stating that the paint must have so much oil in it and so much color pigment in it, or shall we confine our building ordinance to those things which have to do with public health, safety and welfare? My personal opinion is that

we should confine ourselves as nearly as possible to the safety, health and welfare of the public and not attempt to approach the problem from the standpoint of guaranteeing to the individual citizen that the—well, we will say, that the paint on his house is of the first quality. Should we pass an ordinance telling him what kind of paint to put on his house and say if he puts that kind of paint on we will guarantee it? I don't think we should. If it is safe, in other words, if any part of the building is safe, that should be as far as the city should go.

There is now on foot all over California and Wisconsin, and just starting in Florida, a movement to write a building ordinance for interior plastering and require the plaster to be $\frac{7}{8}$ or $\frac{3}{4}$ of an inch thick. True, you do not have to put any plaster at all on if you don't want to, but if you do it must be $\frac{3}{4}$ of an inch thick. There are a great many forms of building ordinances and regulations proposed which assume that the city is going to guarantee a citizen, the man that puts up a house, against the unprincipled builder who wants to skin him on the job. That is all right, I think, up to a certain point, and it is true that the courts are today looking with a little bit more favor on city legislation in that direction, but it is easy to go too far, and more harm can be done in going too far than not going far enough, which is the situation in which we find ourselves today.

Now, if you consider building regulation is necessary for public safety, health and welfare, the next question that presents itself is, is it necessary to have uniformity in building regulation in the various cities, uniformity in respect to fundamentals only, or is it desirable, for instance, that the building regulations of San Diego, which might require a 12-inch brick wall of a certain height, should be the same as the building regulation in Sacramento for the same given condition?

Is it desirable that the fire clay flue lining as required in chimneys in San Diego be the same as that for Sacramento, or Seattle or any other city on the Pacific Coast? There are many other phases of uniformity. One that happens to come to me is the case of an architect in San Francisco who is designing a building which is to be built, perhaps, in Fresno. He has to go to the trouble of writing down to Fresno and get the building code, and that is only half of the story; he has to ask the building inspector what changes there are, if any, in the regulations, what rulings he has made, subsequent to the passage of the ordinance, because no ordinance in existence today is strictly in force; there is no ordinance that has not been amended and rulings passed by building inspectors, and so forth, until it reaches the point that the whole matter is almost in the hands of the building inspector to say what he enforces and what he does not enforce. From that standpoint uniformity in building regulations is desirable, also from the standpoint of the contractor who builds in various cities, from the standpoint of the banker who makes loans, from the standpoint of building and loan associations, and from a great many standpoints uniformity in building regulation is necessary.

The next question that presents itself, if you agree that uniform building regulation is necessary, who is best able to prepare such a uniform building code?

The city government is predicated on a city council, a board of trustees, or some legislative body—call it what you will. It is presumed that this legislative body should make or at least should pass—in fact they are required by law to pass ordinances in their respective cities. Therefore, why not have the city council frame all the laws. The city council is the one that has got to pass an ordinance, why should they not frame it? That

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question can be readily answered in your own mind. Obviously the city council cannot do any such thing. They pass the job over to the city attorney. City attorneys, I think—most of you in the engineering departments who are here today realize that city attorneys have legal minds and not engineering minds. Building regulation is essentially an engineering function, but when a city attorney has to prepare a building code he first calls in the building inspector and says, "what will we do about this?" "Well," the building inspector says, "we will get a San Francisco, Los Angeles, New York, and a Chicago code and then we will take the best parts of those codes and put them into the code—for the city of Long Acres or whatever the city is." That is the way it has been going for the past twenty or thirty years and most building codes have been drawn up in that way; they get these various codes and the building inspector sits down and argues out various things in these other codes which might be related to their own city—usually they are not. Finally the building code is drawn up and goes to the city council and customarily there are not many people who look it over and it is passed, and after it is passed you

find that instead of being able to build your house out of 2 x 4s you can by using 2 x 3s save money and you go ahead and build your house with 2 x 3s. You decide in a couple of years to build another house, but you are out of luck, the building ordinance has been amended in some way and you find you cannot build this house the same as you did the last one. On the other hand, a new building code is passed and you have built your house under the old ordinance, not knowing about the new one, and you put in a brick chimney and you did not put any fire clay flue lining in it. The building inspector comes along and says, "You can't build that chimney that way. You've got to close that up or have a fire clay flue lining in it." It makes you pretty sore, but you tear down your chimney and put in the fire clay. So the thing works both ways.

Late in 1922 a number of building inspectors on the Pacific Coast met in San Francisco with the idea of forming an organization somewhat along the lines of the League of California Municipalities, an association or conference, which could discuss all these things. These inspectors had seen the evil of these things which I have been telling

you about magnified a great many times, and they decided that uniformity in building regulations was quite essential. The idea has been growing for the last four years, until today practically everybody that has given any thought to the subject agrees that it is desirable. However, I am a little bit off my subject. The question has been asked who is best able to prepare a building code. Well, the answer is, the city attorney and the building inspector between them, ordinarily, but if you try to get all the city attorneys and building inspectors on the Coast together, you would have some task on your hands.

The building inspector is in daily contact with the problems of public health, safety and welfare from the standpoint of building. We are all interested in buildings because we are in a building at least fifty per cent of our time. How do you know this building is safe? As a matter of fact, as I sat here during the last two days—and I hope there is nobody here from the government, as far as the government in Yosemite is concerned—I have noticed that these trusses up here have been bent down somewhat under the weight of the building; that they have been patched up and another member put in. I have noted an unusually heavy snow load on this roof last winter, because they say there was a heavy snowfall last winter. Perhaps this roof was not adequate. You go in any building and how do you know it is safe? You go into your hotel at night to sleep. How do you know it is safe? Who is responsible for seeing it is safe? The city council appoints a building inspector and he is supposed to know and to find out during the course of construction that the building is being properly and safely put up. Therefore, it seems to me, the building inspector is the best man, best equipped, to write a uniform building code.

Now, from another standpoint, there

are various experts, men who have been in the building game perhaps all their lives, men who have had to do with building regulation who sit on committees in various towns and try to write building codes—quite a number of towns. Stockton was one of them. Stockton had thirty members of the committee that drew up the building code that is now in force in Stockton. When you get thirty members of a committee, none of whom are experts, you may say, none of whom are in daily contact with building inspection and regulation, and you get thirty such men together, it is almost impossible to get a workable code.

There has been a movement on foot at various times among material dealers large and small, and of various kinds, to get out a building code which they could recommend. Many of the trade associations have their own building codes which they recommend, but not one, taken by itself, is adequate to cover the building situation in any city. So that it comes right back to the same thing—building inspectors should be, and I believe they are, the best qualified to prepare a uniform building code.

Now, as to the details of the plan of which I am here to speak, which is the plan of the Pacific Coast Building Conference. They propose to prepare and present to the Pacific Coast cities a uniform building code. This plan, as I said before, is sponsored by eleven building inspectors who met in conference. They were all California building inspectors, by the way. They got together in 1922 and organized the Pacific Coast Building Conference. At that time each of these eleven men had a vision of the possibilities of uniform building regulation—not only a uniform building code but uniform methods of enforcing building regulations. Each one of these men, I believe, had a vision, and four years after that date we find the vision is well along

toward producing some definite results.

Nothing was done the first year looking toward a uniform building code, except talking and writing. The second year, 1923, the annual conference was held at San Diego. At that time Mark Cohn, a building and housing consultant, volunteered to prepare a tentative draft of a uniform building code. The building inspectors there assembled—and by the way, in 1923 they broadened the scope of the conference by taking in Portland, Oregon, agreed that none of us would have time to prepare such a code and Mr. Cohn volunteered to do this work and we appointed him as consultant to the conference to do the work. In 1924 at Oakland he reported he had made some progress but the code was not ready. In 1925 at Seattle, last September, he presented to the conference a tentative draft of a proposed uniform building code. At that time the conference considered the matter very carefully, dividing into three groups, northern, central and southern. At Oakland in 1924 Phoenix, Arizona, came into the conference. The membership was then seventy. The next year Seattle and Tacoma came in from Washington, and Vancouver from British Columbia. So that the conference covers British Columbia, Washington, Oregon, California, Nevada and Arizona. The northern district includes British Columbia, Washington and Oregon; the central district includes California and Nevada, and the southern district includes southern California and Arizona. It was decided that the thing to do was to take this code in these three districts and have district meetings to discuss the code and revise it, if necessary. We held meetings in all three districts or sections and it was soon seen that the code as presented would require considerable revision and, as a matter of fact, we started out on a new arrangement, on a new basis, and during the last eight

months have completely written three preliminary drafts of a proposed uniform building code. This third draft when first written was taken up in committee meetings in the three districts and gone over quite thoroughly. There have been perhaps forty or forty-five building inspectors, to say nothing of the various other interests, who have assisted in the preparation of this code. Now the code is in the hands of the printer. It was put in his hands just last week—and it is the final preliminary draft. It will be all printed and ready for distribution about September 15th.

In connection with the preparation of this proposed uniform building code—the financing of this may be of interest to you. It was originally proposed to finance this work—and by the way, nobody who has participated in this work has participated in it for financial reasons. There has not been one cent paid to anybody outside of the stenographic work and clerical work and printing. No building inspector has been paid for his participation in preparing the code. All the work has been gratis. The work of those forty or forty-five building inspectors has not cost one penny outside of the necessary expenses as I enumerated them. The receipts during last year have been as follows: From members, \$840; contributions from cities, \$1,825; underwriting balance in the case of money loaned to the conference to carry through this work, \$2,000; and there is still due on the underwriting pledge by various trade associations, \$1,000, making a total of \$5,665. The expenses in preparing the code were \$2,750, the expenses anticipated to complete the preparation of the code, clerical work and printing, \$2,371, making a total of \$5,121. The probable balance on September 20th, which is the date of the 1926 conference, \$534. Now, in that amount of money there is the sum of \$3,000 which has been

loaned to the conference by the trade associations. These trade associations are The National Lumber Manufacturers Association, The American Institution of Steel Construction, The Sheet Metal Lath Manufacturers Association, and so on right down the line. There are twelve of these trade associations who thought enough of this work to contribute \$250 each, hence the underwriting plan. It is expected money can be raised from the various city councils—the taxpayer, the man who benefits ultimately and the man who will pay for the expenses of the work. That briefly is the financial plan.

I might say a word further on the financial plan. The original plan for financing this work was in participation by city councils. We wrote letters to all city councils with a population of 10,000 or over, I believe, outlining the plan which was on this basis: Cities less than 25,000 would contribute \$50 each; less than 50,000, \$100; less than 75,000, \$150; less than 100,000, \$200; and over 100,000, \$250. Now the contributions that were received to date, or rather this year to date, were from sixteen cities, I believe, Alhambra, Stockton, Berkeley, Redwood, Pomona, Inglewood, San Gabriel, Santa Barbara, Phoenix, Arizona, Richmond, Sacramento, Long Beach, Portland, Bur-

bank, Burlingame, Redlands. Berkeley appears twice; they made two contributions. The city of Seattle has agreed to contribute \$250. There are several other cities at present which are only awaiting further details of the plan to participate. I talked to a number of city managers and city councilmen yesterday and today and I can say that at least a half a dozen assured me they will participate in the plan, now that they know what it is. The proposition is that the city contributes so much money according to its population; that money is spent in preparing, printing and cost of distributing the draft of the proposed code. Each city then is entitled to ten copies, which gives it one for each councilman, one for the building inspector, and perhaps one or two others besides. The printed preliminary draft which will be ready September 15th will be taken to San Jose and discussed in the annual Conference which will probably be attended by sixty to seventy building inspectors. After that discussion the draft will probably be revised and then it will be prepared for final criticism. It will present, however, in its present form the best handbook I know of. It will be a book in which anyone can get quite a lot of valuable information and can get the complete

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building regulations of all the cities in the conference. At the same time if a city does not want to adopt the code as a whole it can adopt such parts of it as it cares to. And, by the way, the code is being prepared so it can be adopted intact simply by filling in the name of the city. But if a city does not want to do that, it furnishes very fine reference showing what building inspection and supervising costs are in other cities, and for all the various problems having to do with building regulation. I am quoting from an interesting letter sent out by the conference about a month ago. (Reading.) There have been several manufacturers on the Pacific Coast who have developed building codes for various—(Continuing the reading).

From that time to the present the three committees of which I speak have made a thorough study of the work and this has resulted in the development of our present preliminary draft Number 2. This letter is about two months old, which is now in the form of a final preliminary draft from which we will be able to finally arrive at a final code when the matter is submitted to the conference in San Jose in September.

The present draft is built up on sound experience throughout the United States. The best technical and research data obtainable has been used to grade and classify the various materials and types of construction and they have been placed on the basis of their desirability. I might say our idea was very similar to the idea of the Department of Commerce, the so-called Hoover Committee on standardization. Many of you know of the very excellent work done by that Committee. This work we are doing with building regulations is a simple application of the principles under which they worked to Pacific Coast conditions. There is a great deal of the Hoover Committee code which is practically intact in

our uniform building code. There is also a great deal of the information and ideas, although perhaps not in the same words, but the ideas put forth by the Underwriters Laboratory, the Bureau of Standards, by the Forestry Laboratory, of the United States Government and other nationally known and recognized organizations are contained in our code.

There is a call for a uniform building code coming from many quarters. Its value to the public at large, as well as to contractors, architects and engineers is easily understood as it will simplify design and construction because of a similarity in the regulations throughout the entire Coast region, next, because the requirements of the code are based on maximum safe standards. The safety of the public should be protected with minimum building costs. And next, because in the structural design of a building fire protection and general safety measures, the use or occupancy, of the building has been considered for the public welfare in all cases. Therefore, with uniformity on a large scale the public safety will be more adequately protected than where political control with its various technicalities holds sway. It is that obstacle which we have sought to overcome to a very large extent. That has caused some trouble in the past and we think, with a uniform building code, the same in this city as in that city, it will not be so easy for material dealers to go to the city council and say, "My product is just as good as the other fellow's product; in fact it is better than his; and I would like to have you put in my product." And in many instances, for one reason or another, the best interests of the public have not been safeguarded as they should have been. If a material dealer has sufficient political backing he usually gains his point. With things as they will be handled under the building regulations all products will get in on

their merits without political consideration, at least we hope that will be brought about.

I have spoken longer than I intended. I simply want to say this, that Mr. J. E. Mackie, now Building Inspector of Long Beach, is secretary of the Pacific Coast Building Conference and consultant at the present time, although he receives no salary. He is preparing with some assistance the preliminary draft Number 2, the draft of which has been practically finished and will be ready for distribution September 15th. Ten copies will be distributed to each contributor to the financial program. One copy will be distributed free to every active member of the conference, and he must be a building inspector to be a member of the Pacific Coast Building Officials Conference; and one copy will be distributed free to every subscriber and to every associate member of that conference. We hope that with the final distribution of this draft that there will be many criticisms constructive in their nature sent in to the secretary. That draft will be revised before it is finally adopted by the conference in the light of all the criticism and suggestions that come in.

My thought, the thought that I want to get over to you now is this: Here is a well prepared building code in which no commercial interests have had a word to say, except as we asked them for advice. No man has profited by a single penny paid to him for his work in the preparation of this code. We believe, and I personally believe, it is one of the most important things which has happened to the building interests on the Pacific Coast. They will have such building regulations as no other section of the country has. The opportunity is here and will be presented to you on September 15th. All we ask is your support and to take advantage of this already well prepared plan. (Applause.)

MR. VAN ALSTINE (Presiding): I know Mr. Horner will be glad to answer any questions that you may care to ask him.

MR. ARONOVICI (Berkeley): May I ask Mr. Horner whether that code covers housing as well as building regulations?

MR. HORNER: No, sir, it does not cover housing, except to this extent. There will be an appendix in this code which will go very thoroughly into the reasons for inserting various things into the contract before the building is constructed. For instance, I will use the illustration of fire clay flue lining in chimneys. That will be thoroughly covered and is covered in the draft, or in the appendix, rather. Whether it will be in the final draft will depend on whether or not it is finally adopted at the meeting of the conference. Fundamentally the appendix will be as long as the code itself. In the appendix will be certain fundamental explanations having to do with housing. For instance, it is quite necessary that buildings have proper ventilation. That has to do with housing. There will be requirements in the proposed code having to do with ventilation and in the appendix all that will be explained, why this regulation is necessary, but in general we assume that the Housing Act of California fairly well covers the situation and we will not attempt to go into housing for that reason.

MR. ARONOVICI (Berkeley): I fail to see how a building code that deals with materials alone will cover the requirements without expansion into the housing field. Take, for instance, the distance of walls from windows and the matter of land occupancy and the distance from the property line. It seems to me, since it has regulations dealing with sanitary provisions and so forth, I was just wondering whether there isn't going to be a leak in that particular code if they don't recognize it; and if they assume the building

code of California especially, because it was not entirely satisfactory when it was passed—it has had a great deal taken out of it that should have been left in.

MR. HORNER: I can agree with you if you are going to include the scope of housing. I might say we do take housing into consideration, although I didn't think to mention that before. We did not take into consideration zoning. I believe zoning and building regulations should take two different ordinances. For instance, on the highest type of fire resistance buildings—and by the way, we don't call it fire-proof—we put no limit on the height. Now, if you are in Los Angeles, the building ordinance would take care of the height. That is what we believe. And now as to housing with respect to distance from the property line, the way in which you have thus proposed, we did not take into consideration, but when it comes into the safety or a public garage being right next door to a dry cleaning establishment, a theatre or a hotel, we do take that into consideration. Housing, to my mind, has to do only with private residential buildings or residential property.

MR. ARONOVICI (Berkeley): The idea of the uniformity of housing or building regulations might be a handicap to communities not so closely built up. My experience in housing, which has been more or less varied, although not very extensive in regard to area—take for instance, outlying small towns where the lots are 150 feet by 60 feet and the situation with regard to Fire Underwriters protection is quite different from that in the large cities where the danger is greater, and I think there has been considerable abuse, if I may put it, on the part of Fire Underwriters, where the fire hazards are relatively limited to putting in building materials to make buildings last a good deal longer than is necessary. So I would like to impress upon you that

I think a standard building code is a fine thing. You do away with dishonesty on the part of the dealer. Understand me, there must be a certain amount of latitude with regard to the construction of a building, where the question of fire protection, which seems to be the greatest and foremost thing in the minds of the people and which should be fully covered in a building code—in other words—that is not very important. I don't operate from a human point of view. I know of very few incidents where people have been burned up in buildings on account of there being no fire escapes. There have been only three people burned up in the City of New York within the last three years because I believe that is on account of the demand which insurance brokers have been making and have placed an enormous cost upon the owner through the necessity of carrying fire insurance, and in that way the fire underwriters are establishing high standards in order to maintain insurance rates.

MR. HORNER: I might state in response to that we have tried to consider nothing except from the standpoint of public health, safety and welfare and we try to keep everything else out of this code and still provide safe buildings; in other words, buildings which protect the public health and to a certain extent we try to keep as near to the fundamental principles as possible, believing that the city might at some time have a comprehensive zoning plan, but if it is from such regional plan as was spoken of this morning, those things should not come into a building code but rather in an ordinance. That would have to come about through the passage of a uniform ordinance, but it should cover those things, cover building regulations from the standpoint of public health, safety and welfare and we did not go into the question of housing any further than we have.

MR. KILKENNY (Vallejo): What is the name and address of the secretary of the Pacific Coast Building Conference?

MR. HORNER: J. E. Mackie, Chief Building Inspector, Long Beach, California.

MR. KENNEDY (San Francisco): I was wondering during the discussion whether anything had been provided in this ordinance or in this proposed building regulation or code, covering the matter of inspection during construction. I have in mind two or three accidents which have occurred in buildings, and I have in mind particularly one that occurred in Pasadena, which everybody has had before them during the past year, and this calls to mind one of the things which is a vital weakness in building codes and that is the matter of inspection during construction.

You know, and most of us who have observed buildings going on in different municipalities, realize that the fundamental principle in building is to make it safe; that the fundamental inspection as applied to engineering construction, are very frequently, in fact, in the majority of cases, more or less grossly neglected, and whether or not any sort of a building code which was adopted for the protection of life should not contain a very definite method of the inspection of this work during construction, so the public is assured of the safety of the structures as designed or constructed. We engineers have very decided ideas on that subject, and, in fact, that subject has been before the Engineering Fraternity and it has been considering building regulations for several years. Last April at Columbus, Ohio, in a meeting of the eastern building officials' conference, an organization somewhat like that which we have on the Pacific Coast—the Pacific Coast Conference—Mr. Kirk, who was formerly building inspector of Evansville, I think, prepared and presented a paper on Owners'

Inspection. That paper had a great many very excellent points in it, and we for weeks took that paper and discussed it out here on the Pacific Coast pro and con, hammer and tongs. We finally took his paper and used it. I would say we used 80 or 85 per cent of the ideas he had in his paper. We said this: All buildings costing over \$20,000, which is an arbitrary figure, we admit—and we didn't know any other arbitrary way to put in all buildings as costing over \$20,000 and all buildings involving complicated design and architecture must have an inspector constantly on the job while any portion of such building involving such complicated design is being constructed. In other words, while forms were being placed in reinforced concrete; while steel work was being erected, there must be an inspector paid by the owner while steel is being erected, rivets being driven, connecting the trusses to the rafters, putting up the trusses—the inspector must be on the job constantly. He must make daily reports every night to the building inspector. That relieves the building inspector of a great deal of detail work. No building department of the state of California is over-manned, and there are none that I know of that are considerably under-manned. However, public health and safety is to be properly taken care of.

Now, with this inspector on the job, as I say, not only will the owner get adequate inspection of his own work, but the safety of the building is assured to the public, and the owner is assured that the work will be done in accordance with his contract with the contractor. This inspector is being paid by the owner. It is presumed the inspector will look after the owner's interest. He must also, in the first place, be competent. He must pass an examination, if necessary, with the building inspector. He must register himself to the city for which he pays a fee of \$1 according to our ordinance; I

believe that is the fee. He must be on the job whenever any erection is going on. Now, we have further qualified that \$20,000 that when in the opinion of the building inspectors buildings costing over \$20,000 but which do not involve any complicated structural designs; you might put up corrugated iron frame 8 feet high for housing automobiles during the day, without sides. It might be a thousand feet long and 200 feet wide. It would not involve any complicated design. Then the building inspector can waive the regulation requiring owner's inspection. We think that is the most forward thing in the building requirements today and we think we will have some trouble with it, and when the owners and the public in general find the advantage of it, it will be insisted upon.

There is just one other thing and that is where a building is being used for purposes entirely different from the design for which it was intended. That question is of vital concern to public health.

MR. HORNER: I will have to go into detail to answer that. There are three fundamentals which we have taken into consideration. First, requirement because of occupancy. Now, if the building is an assembly hall it is one requirement; if it is a store house it has other requirements. If it be a garage it has other requirements. We consider the requirements from the standpoint of occupancy. We group all buildings in ten or a dozen groups and state the requirements of buildings for that group, just as we have clauses when a building is changed from one to another occupancy, that it shall meet certain requirements of the changed occupancy. That is a hard thing to enforce, and it is going to be still harder, and if a city council is not sold on this code; if you are going to listen to every fellow that comes around and tells you: "This is terrible; this is going to make trouble," and think this code is going to

create an injury, and complain that: "We have to put in ventilation here and a stairway here and there; and this building law is no good;" if you are going to listen to that sort of thing you are not going to have safety in your building regulations. So we have that clause saying that no building shall change from one occupancy to another without first complying with the provisions of the building codes with respect thereto and that a permit must be secured to change the building from one occupancy to another. If you have a building you are going to make into an assembly hall, you have to provide exits for the people that may go into that assembly hall, and otherwise make provisions which will safeguard the public. Now, if there are any other questions, I will be glad to answer them, for my time is getting short.

MR. HARMON (Alhambra): I would like to ask when this code will be ready to submit to the various municipalities?

MR. HORNER: It will be printed and ready for distribution on September 15th of this year. It will be taken to the annual conference of the Pacific Coast Building Officials Annual Meeting which will take place at the conference at San Jose on September 20th to 23rd, inclusive. It will be discussed there by perhaps 60 building inspectors. The disposition of it then depends on what the building inspectors think of it. In my opinion it will be adopted first as a rough building code and not adopted as to detail. It should not be adopted as to detail, because no building inspector has had an opportunity to go over it with respect to detail and know how it is going to apply to his own city. After September 23rd all criticisms and recommendations for changes in this final preliminary draft will be sent to the secretary and what happens after that and how long it takes before the final draft which will actually be adopted word for word by

the conference, I am not prepared to say, nor is anybody else, but it will be ready for distribution on September 15th of this year.

MR. VAN ALSTINE (Presiding): If there are no further questions to be asked of Mr. Horner we will pass to the next number on our program. (No response.) There seems to be none. We thank you very much, Mr. Horner, for your instructive talk.

For the past few months it has gradually become known to engineers of highway construction that the California State Highway Commission is getting better results in road construction than have heretofore been deemed possible. We have already considerable 2000-pound concrete, that is, concrete which will bear up under a compression test showing strength of 2,000 pounds per square inch, which is very good concrete.

Those of us who have succeeded in getting our concrete work to stand up under a load of 2,400 to 2,800 pounds per square inch thought we were getting first-class work. The California State Highway Commission has recently been obtaining results that have been astonishing to the engineering profession. Upon learning of this I advised the program committee of the League that all of the California cities would be very much interested and very much benefited by learning of the work being done by the California State Highway Commission. Mr. C. S. Pope of the California State Highway Commission, a construction engineer under whose direct supervision this work has been done is here and will give you a talk on the work being done by the California State Highway Commission. I take pleasure in introducing Mr. Pope.

MR. POPE: I have got to read this thing to you and I am going to take a little time to go into the history of highway construction in California so you will

have an idea of the progress and the reasons for the present changes in methods of construction.

The experience of the California State Highway Commission, as you know, dates from the year 1912. The first highway constructed is a piece of highway extending from South San Francisco to Burlingame. That highway is of 1:3:6 concrete base, 5 inches thick, with a one-inch sheet asphaltum top. It is only this year that the road had to be widened and thickened. After studying the bituminous macadam highway for a number of years, the first contract let by the State Highway Commission, also in 1912, was a bituminous macadam surface highway from Madera south to Califa. That is a fifteen foot all bituminous macadam pavement. It has had no repairs except minor repairs—slight repairs to the pavement. That pavement, as I say, was put in in 1912. The fifth contract let by the Highway Commission was in Stanislaus County, and that is of concrete—concrete pavement, 15 feet wide extending from Ceres to the county line south, a distance of 12 miles. This pavement required widening in 1922. At the same time it was thickened and strengthened. The analysis of the condition to be met on highway construction was not so serious in the past as it is today. You must remember the program was vast; great pressure appeared for the immediate construction of highways; there was not as much “engineering” on highway construction at that time as we have today; the publication of data was not as varied; there were no research bodies; so engineers did not have information to go on at that time as we have today.

Now, the large expenditures which we make today would not have been thought of in those days. They would simply have been thunderstruck with the idea of spending \$150,000 a mile for grading only. They would probably have re-

called the governor; yet that is a common occurrence, to spend \$150,000 a mile for grading a road.

The first Highway Commission thought they stretched the money too far; but we don't think they went too far. I think it behooves us all to look with a sympathetic eye at the work of the former engineers and have our eyes opened. The problems met in the past in highway construction are vastly different from what they are today. One particular reason for this is that they did not have close supervision in those days as they have today, nor did they have specialists—men especially trained in highway construction problems. At that time the resident engineers were sent out on the work and they were supposed to be competent to construct roads or any other kind of work on which he might be sent.

There was some attempt at specialization but not a great deal. At the present time these resident engineers who are directly in charge of the work are shifted from place to place and put on the work for which they are fitted. In other words "specialists" are employed, such as bridge work, concrete pavement, bituminous macadam, and asphalt concrete; that type of work has been brought in since the construction department has been organized. (Reading.)

Now, if there are any questions that you have to ask in regard to state highways I will be glad to answer them, but I don't think I will be able to tell you what is the best type of construction for you to use, because I do not know, nor can I tell you until I am fully acquainted with all of the problems with which you are confronted.

Experience with Various Types of Paving

C. S. POPE

Chief Construction Engineer, California Highway Commission

The experience of the California Highway Commission with paving of various types dates from the year 1912 when Contract Number One was awarded for the paving between South San Francisco and Burlingame. This pavement consisted of a 5", 1-3-6 concrete base and a 1" sheet asphalt surface. It was 24' in width and the construction was of such satisfactory character that it endured traffic without serious distress until the year 1925 when it was widened to accommodate increased traffic, repaired and resurfaced in part.

The third contract let by the Commission in 1912 was the bituminous macadam surface extending from Madera to Califa which many of you passed over in your journey to the Valley. This macadam is 15' in width and was constructed in 1912 and 1913 and you have no doubt noted that it is still in fair condition.

While the analysis of conditions to be met was not as thorough in the early years of the Commission as is the present custom, it must be remembered in judging the work of past Commissions and engineers that there has been an enormous increase in the information available to highway engineers within the last 10 years and a very notable advance in the education of the public in matters of highway construction.

The large expenditures of the present day for highway construction which are accepted as necessary by an educated public would have been the source of a storm of protests in the early days of the Commission. While many think that the first Commission stretched their money too far on the construction of light highways, none of us are in a position to know as well as these former Commissions and engineers, the pressure which was

brought to bear from all sides demanding the completion of highways in the different parts of the State.

I think it behooves us all therefore, to look with a sympathetic eye on the work formerly done and to devote ourselves more particularly to seeing that our own work is of such character that future critics will have little ground on which to base adverse comments of the work done in this day.

From the construction point of view, the work previous to 1924 differed from that being done at the present time, principally through the lack of coordination, of methods in the supervision of the materials used in construction and also of the operations of construction.

The successes attained on the many satisfactory highways built previous to 1924 was due in large measure to an efficient division engineer coupled with a resident engineer who understood good construction and saw that work was properly done.

At the present time, the system is entirely different, and division engineers are given much more assistance than in the past. All features of construction and the construction materials are well analyzed before a contract is let. When construction actually begins, there is advisory supervision so that the work in all parts of the State is done with equally satisfactory results and with uniformity of methods which was not possible before.

Figures are difficult to remember and are of little value in such a talk as this but in order to indicate roughly the classes of work which have been done by this State, I will give you some approximate figures which are reasonably correct up to June, 1926.

The aggregate length of the State Highways is about 6,500 miles, of which about 4,100 miles have been improved by paving or otherwise and of which some 2,400 miles have not yet been built. You will

realize from this statement the urgent necessity which lies before the people who wish to see this highway system completed to provide the means necessary for the purpose.

Of the paved roads, the division of mileage is about as follows:

Asphalt Macadam.....	about	330 miles
Portland Cement Conc.	"	1,650 "
Asphalt Concrete on		
Macadam.....	"	90 "
Asphalt Concrete on		
Concrete.....	"	270 "

The construction of highway paving should really be thought of along two separate lines. The first is the construction of an original highway on new grade and the second is strengthening and widening of the highway already constructed. In the first case it is necessary to make a close examination of the soil and all other conditions which might affect adversely the pavement. In 9 cases out of 10 we find it desirable to do the grading first and then construct a surface of gravel or crushed rock to carry traffic for a number of years until we are assured that the stability of foundation has been secured. In mountain work, it is of course essential that all fills should be thoroughly settled before any attempt at paving is made and those of you who live in Northern California or the mountainous country of the south also will naturally realize the length of time which must elapse before certain sections of the mountain roads can safely be paved.

On reconstruction or strengthening and widening work it is necessary also to examine the soil but more particularly to examine the condition of the pavement which remains in order that the most economical type of resurfacing may be secured.

In connection with the design of many types of paving, we have found the most desirable and necessary requirement to

be that we should know the traffic which this pavement will be called upon to sustain. In order to secure this information, the State has established a great number of traffic census stations in various parts of the State and from these we are able to determine with very considerable accuracy, not only the traffic which a road has borne, but that which it will be required to carry in years to come. With this information at hand, it is possible to make an economical study of the proper pavement to be used in a given location.

The great success which the Highway Commission has recently had in the improved constructions of its pavements is due to a number of causes.

The first of these is the fact, that the Highway Commission has left the highway work and its technical phases entirely in charge of the State Highway Engineer.

The second is that the present State Highway Engineer is not only a man of wide experience himself in highway work and gives to its many phases his minute personal attention but also he is sympathetic with the aims of the Construction Department which was organized under his direction and gives to it his full support.

This Department comprises two functions, one of which is handled by the Testing and Research Laboratory of the Construction Department and the other by the field inspection and supervision which is given by engineers of the Department.

By means of the Testing and Research Laboratory, it is possible to make preliminary examinations of the materials proposed to be used in construction and predict with considerable accuracy the results which will be obtained. It is also possible to do a considerable amount of research and experimental work which would not be possible in a smaller organization and which is a phase of work prac-

tically never open to a small city. The Research Department can, therefore, be of great value to all the other highway departments and all interested in similar work and the problems submitted to it can be handled in such a way as to increase the quality of construction very materially.

The general supervision exercised by the Construction Department also makes it possible to secure the best methods of construction and uniformity of workmanship throughout the whole State and also enables the Department to observe the results obtained by advanced methods of construction which are tried out from time to time. The whole success of the construction work is, therefore, due to an intelligent analysis of materials and the close inspection of the construction work itself by engineers thoroughly experienced in this kind of work.

A description of some of the details used on the construction of pavements may be of interest in indicating the reasons for the successful work obtained by the Commission.

For the construction of a concrete pavement, for instance, the laboratory is requested to furnish tests of the strength of cement and the quality of sandstone and water which will enter into the work. The precise proportions of the mixture to be used are worked out by the Resident Engineer with the assistance of an engineer from the Construction Department. Usually, actual concrete specimens are made before the work starts in cases where the material is not one which has been in commercial use. The equipment used for proportioning materials, for mixing concrete and for spreading and tamping the same are carefully examined and must conform to set standards before their use will be permitted. The depth of subgrade is carefully measured just previous to laying of the concrete and the correct yardage is

figured from the notes so obtained. The proportions of the materials used in the concrete are either weighed or measured by volume with a great deal of accuracy and corrections for the amount of moisture in the sand and stone are also made a number of times a day. In addition, the grading analysis for relative sizes of the different particles of sand and stone are made a number of times daily and are used in computing the voids which may be expected in the mineral aggregate.

The State Highway proportions vary from those usually specified in that we call for a certain number of sacks of cement per cubic yard of concrete in place, which eliminates all questions of how far a barrel of cement will go in our paving and other construction. The contractor has to concern himself then only with the proper proportions of sand and stone.

The amount of water used in each batch is carefully proportioned either by weight or volume and daily a sample of concrete is placed in a cylindrical mould and made into a test specimen from which a determination of the compressive strength of the concrete laid during that day is made.

All of the details of the work are covered by a complete set of report forms so that every step of the procedure is a matter of record and yet the report forms are not so intricate as to be a burden on the inspecting engineers. It will be interesting to note in this connection that at the beginning of this system in 1923 a concrete having a compressive strength at 28 days of 2,000 to 2,500 pounds per square inch was considered satisfactory. During 1924, the strength rose to about 3,500 pounds and in 1925 to about 4,200 pounds. It is probable that during 1926, the average will show very nearly 4,800 pounds, which I believe is far in excess of the strength obtained in any other states. This increase in strength has been

obtained at no increased cost either in inspection or with undue hardship to the contractors. In addition to securing concrete of uniform strength, there is in effect a system by which we secure concrete of uniform smoothness. There is attached to one or two of the automobiles belonging to the State, a machine known as the Vialog or Roughometer, by which we are able to obtain the amount of roughness per mile of paving, simply by running a machine over the highway at a uniform rate of speed. By the use of this machine, it is possible to compare the care used in one job as against another or on one part of the job as against any other part. The resulting use of this apparatus has been to decrease the roughness of pavement to a great degree. Taking the 1924 pavements as a unit for comparison, the 1925 pavements contained about $\frac{2}{3}$ the roughness of the 1924 pavements and the 1926 pavements will show about $\frac{1}{3}$ the roughness of the 1924 pavements. Pavements in 1924 were considered fair when they showed a roughness of 15" per mile where the 1926 pavements are considered poor as to smoothness if they show a roughness in excess of 5" for portland cement concrete.

Asphalt concrete has been used to a considerable extent by the State for both surface and in some locations for a complete pavement. For a number of years, the development of this type of pavement stood still but during the last year we believe that a new type has been developed which will be far superior to that used in the past. In this type of pavement, the amount of asphalt is greatly reduced and the amount of very fine material is greatly increased. Also, we have eliminated the old type of seal coat and are constructing the seal coat of stone chips which gives promise of excellent results and will for a time render the pavement non-skid. A sample of the

new pavement completed is seen at Delano and another sample will be under construction within a few days at Modesto. This type of pavement is under the same careful supervision as is the portland cement concrete pavement. Samples are taken daily and sent to the Laboratory for analysis and there is an inspector constantly on the plant engaged in seeing that the proper proportions and sizes of materials are used.

In connection with the plants used for the manufacture of mixing this type of pavement, we are introducing automatic recording weighing devices by which we are able to keep a permanent record of the different weights of materials going into the mixture. This is an advance in practice first specified by the Construction Department and gives promise of a wide extension to other types of paving. The Vialog is especially useful in this type of paving in checking up the work in its early stages so that the Resident Engineer will have an opportunity to improve the riding qualities of their pavements as they go along.

The most notable of the asphalt concrete pavements recently constructed by the State is that across the sand hills from Yuma west which was completed within the last few days. This pavement is some $6\frac{1}{2}$ miles long and was constructed in about 100 working days without regard to the intense summer heat or the sand storms endured by the workmen engaged in this construction.

In the bituminous macadam construction, the State pursues the policy of first building a substantial base of broken stone or cementing gravel. On this, after it has come to rest and is perfectly sound, there is laid a wearing surface of bituminous macadam varying in thickness from $1\frac{1}{2}$ to 3" depending on the traffic to be borne. The methods of construction are quite fully outlined in our specifications and need not be reverted

to here. The resulting pavement, if carefully constructed, gives an economical and satisfactory wearing surface but the details of construction must be carefully observed or failure will result. This is probably the most difficult type of construction on which to get uniform results and is one of the least used in State work.

On new grade and in outlying sections of the State, the standard construction is the grading of the highway with proper alignment as to curves and grades and surfacing the same with crushed rock or gravel. The practice during 1925 and 1926 was to surface these roads with crushed rock ranging in size from 1" to dust. In the best construction, this material was spread in light layers and was watered and rolled on its completion and dragged thereafter practically continuously to keep it in shape. This has made a most economical and successful high speed road in desert locations. For instance, on the road from San Bernardino to Needles, the construction of such a highway has enabled the running time to be cut from nine to five and one-half hours and there is entire freedom from any chance of accident or from people getting stuck in the sand or having to stay on the desert during hot weather. Recently, the complaint as to the dust nuisance has made it seem desirable to oil many of these roads and this has been done with considerable success in certain parts of the State.

A summing up of the experiences of the State organization in paving is as follows:

We find it desirable first to construct a well compacted foundation of road metal, either crushed stone or gravel some 6" in thickness.

After this material has come to rest, and a well bonded foundation is available for paving, a paving of bituminous macadam, asphalt concrete or portland cement concrete is placed over the metalled road. The selection of the type

of paving depends, to a certain extent, on the funds available but very largely on the amount of traffic and the economical expenditure which would be desirable in the particular case.

State highways differ from city streets in that they form narrow lanes of traffic on which traffic is rather restricted and great care must be taken to keep vehicles from running in the same lanes. This type of travel is paralleled in the city where car tracks exist and where you have no doubt noted the street paving soonest shows distress. A wide road gives a better distribution of traffic throughout its surface than a narrow one and this feature also affects the type of paving to be used.

The Construction Department is often required to answer letters from various persons or municipalities asking which is the best type of pavement. This is a question to which there can be no general answer given in the light of the experience of the State highway. All types of pavement have their use under certain conditions and without a knowledge of these conditions properly analyzed by an experienced engineer it is impossible to give an answer which can be generally applied.

On each State Highway car you will note the State Highway seal showing a winged wheel with the instruments of engineering science and of labor combined and encircling these symbols an inscription in Latin which freely translated is as follows: Energy directed by science is the road to fortune.

Whatever success we have had can be ascribed to intelligent engineering and careful supervision and if the cities and towns of the State will spend the necessary amount of money on intelligent engineers and proper supervision, it will not be necessary for them to go outside the ordinary methods of construction to secure lasting and satisfactory streets.

MR. BECK (Long Beach): The general tendency is to make highways wider than they used to be.

MR. POPE: Yes. Our standard is now 20 feet. That is the standard at the present time.

MR. VAN ALSTINE (Presiding): I would like to ask Mr. Pope whether they make their tests on field samples or cores?

MR. POPE: We are making tests both ways. We take a number of samples, and the samples are cast every day for laboratory tests for the strength of the concrete; and the core test every time we cut a batch of samples from the pavement, we mark the same place so we can go back to it again and make further tests if we think it is necessary.

MR. VAN ALSTINE: The average strength which you mentioned during the course of the reading of your paper are from the field samples?

MR. POPE: Yes.

MR. HOGAN (Stockton): I would like to know of your experience on heavy, deep soil, for construction.

MR. POPE: We have always found it necessary to allow these soils to rest—to give them a coat of material to bring them to rest.

MR. HOGAN (Stockton): Does that apply as well to the construction of a macadam base?

MR. POPE: Yes.

MR. HOGAN (Stockton): Would the same thing apply on asphalt concrete?

MR. POPE: I rather think it would. The answer in regard to soils, is this: Particularly with regard to these adobe soils. When adobe soil is taking up moisture it is in movement and its movement is very rapid and after it has taken a certain amount of moisture, say, about 20 per cent—20 to 30 per cent—its movement is slower. If you can maintain your moisture at about 20 per cent, by any means you can use, you won't have

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much trouble. That is almost impossible to do. So the only thing you can do is to seal it with a heavy coat of macadam.

MR. HOGAN (Stockton): You also spoke of a bituminous macadam; that you will probably lay more of that type of road. On what class of highways do you propose to place that construction?

MR. POPE: Well, we will place that largely on boulevards, but not where "high speed" construction is required. I want to say a word in regard to the treatment of asphalt, or, rather, adobe, while we are using it on some of the boulevards. We don't disturb the old grade at all. We put a cold coat of non-sealing coat on there. We built one in Northern California; there we are putting a coat of non-sealing material on top of the surface; we are importing material at great expense to get away from the adobe; there we take the adobe and put on a non-sealing material on top of it. We don't believe there is anything yet which has overcome all of the difficulties with which you are dealing when it comes to adobe. It is very expensive. Unless you maintain your moisture constantly you are going to have difficulty, and the only way is to check it with a coat of non-sealing material.

MR. HOGAN (Stockton): I would like to ask the speaker which is the most economic in upkeep, either black or white, that is, asphalt concrete or similar type of pavement, or Portland Cement concrete? Which is the cheapest in upkeep?

MR. POPE: In order to answer that question first I have to know just what you mean by it. What I mean by "economic pavement construction" is how much you have to invest in the pavement to carry a ton a mile. As soon as we are able to know the traffic census we include our cost of repairs, interest on money invested, interest on the money expended for repairs, then we can tell exactly how

much you have invested. By taking the traffic census and the amount of money involved in the construction and repair of the road, we can arrive at the ton mile. We are making that computation on a good many of the highways in different parts of the state, but the information is not available as yet, because the traffic census has not been sufficiently accurate, because costs of repairs are not sufficiently accurate, and it is only within the last two years that sufficient accuracy has been given to the exact amount of money expended on a given piece of pavement to enable us to arrive at the proper figure. Many cities do not have accurate data on cost of repairs. Some have and some have not. Until you know what traffic you have on your streets, and accurate data with regard to the cost of repairs and maintenance it is difficult to give a proper unit on which to rate your costs.

MR. CARROLL (Alhambra): I would like to ask if the State Highway Commission has made experiments or tests with the use of calcium chloride for quick setting?

MR. POPE: About two years ago we made a very extensive series of tests with calcium chloride in the curing of concrete. Our tests and research laboratories in conjunction with a certain institution in Chicago, made a very extensive series of tests at Sacramento. At the same time we used calcium chloride and our tests were published and can be obtained in one of the bulletins. And if you will write to the State Highway Commission we will send you one. Recently we had the question come up regarding the use of calcium chloride in hastening the setting of concrete and in the tests which were made they gave us an earlier strength, but we are not satisfied as yet with the work that has been done on that. At least, I have not been satisfied.

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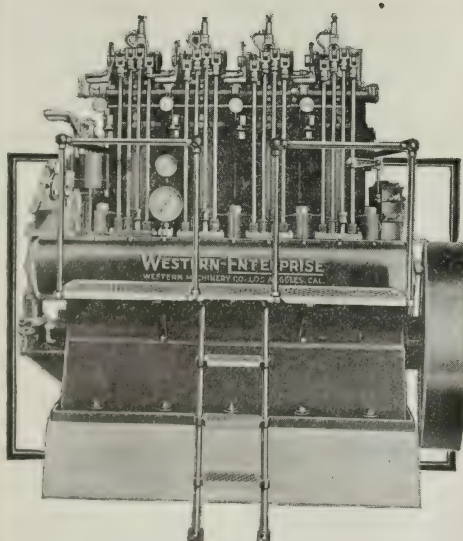
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the tests. These early tests were obtained, but the tests are only two years old, and when you are building a highway which you don't want to build again I think you had better take time and be right in the first place.

MR. HOGAN (Stockton): There is another question with reference to Bitulithic pavement. I would like to ask if the State Highway Commission has made any tests on that, by using that method will it give you a better result than by taking the extra cost and putting it into that much greater thickness of concrete?

MR. POPE: We have not made any tests with that, but when you get 5,000 pound concrete, we think we are getting as much as is necessary.

MR. HOGAN (Stockton): Just one more question—whether the standard of your specifications say so many sacks of cement per yard as one standard, or have you ever formulated a standard on that basis?

MR. POPE: We have Class-A concrete which is 6 sacks to the yard. We have Classes C, D and E concrete and they all run so many sacks to the yard.

MR. KILKENNY (Vallejo): I want to ask about that 5,000 pound concrete, Mr. Pope. Was that obtained with machine tamping or ordinary hand tamping?

MR. POPE: Nearly all of it was machine tamped.

MR. KILKENNY (Vallejo): And also does the State Highway Commission make tests for cities in its laboratories? That is, tests for materials and decide which are the best for them at ordinary commercial rates?

MR. POPE: Where we are called on to make tests for cities we are willing to make them, but I don't like to go into competition with the commercial laboratory at all, but we have usually been willing to make tests on certain occasions if the tests are not too difficult. For

instance, one party came and wanted us to test steel. We are willing to make tests of reinforcing steel but not of structural steel, but we have a great deal of data available on the subject, where the fabricators are, and in the case of building stone where the quarries are, and where the commercial sources are for other classes of material, and, as I say, we are willing to make tests for cities at any time within the limits of our laboratories; but we cannot undertake to make tests of structural steel. As for making tests and reporting on the tests in order to carry on the work, to make a series of tests in carrying the job through, it puts too much on our laboratory; we haven't got the men. We would be perfectly glad to do it if we could, but we are willing to make a test for any city or county in so far as we are equipped for that particular test which they want made.

MR. HOGAN (Stockton): Has the commission decided on the advisability of using expansions in their highway construction?

MR. POPE: The commission has used a great many types of expansion joints and is now standardizing practically, at least for the present, on a joint about 50 feet apart on concrete work. We are also using what we call a plain joint; that is, the pavement is deeply cut at intervals of about 50 feet and the cut extends through the pavement, actually does go through the concrete and makes the cracks where we want them.

MR. KENNEDY (San Francisco): There is just one question I would like to ask. What is the attitude of the commission in respect to longitudinal joints in twenty-foot pavement?

MR. POPE: Well, the plain joint is just a cold joint, we call it.

MR. KENNEDY (San Francisco): Just a cold joint?

MR. POPE: A cold joint, yes. I might say that in Southern California we are constructing a piece of concrete pavement about four miles long in which we are trying quite a number of different types of reinforcing and a good many different types of joints, and we will be ready in a short time to give that information to those engineers who may be interested in pavement construction.

MR. PETERSON (Santa Maria): Are those cold joints filled with asphalt material after they are opened?

MR. POPE: They are filled afterwards; they are poured.

MR. PETERSON: Has the state made any experiments with lumnite cement for repair work?

MR. POPE: The state has used some lumnite cement. We find, however, if we can put in half as much again as Portland cement we can open up in two or three days anyway. Lumnite costs about \$11 a barrel and Portland cement costs about three, so we can put in half as much again as Portland cement and get very satisfactory results.

MR. VAN ALSTINE (Presiding): We are very much indebted to Mr. Pope for his very valuable information. In the

City of Long Beach where we are doing two millions of dollars of work annually, we are all taking advantage of the research work done by the State Highway Commission, and have revised our specifications.

On the nominating committee, two new appointments have been made, Mr. Hogan, City Engineer of Stockton and Mr. Girard of Richmond. Is Mr. Girard present? I believe he has not been notified. Will someone who knows him advise him he has been appointed on the nominating committee and that the nominating committee will meet on this platform at 7 o'clock this evening? We also have an invitation from the Health Officers Section to hear Dr. Hassler, City Health Officer of San Francisco. He will speak on Public Health in European Countries at a meeting of the Health Officers Section which will be held at 1 o'clock this afternoon at the Sentinel Hotel. You can obtain instructions as to where to find the Sentinel Hotel at the main building.

Are there any other announcements? If not, the meeting will stand adjourned.

(On motion duly seconded, the meeting adjourned at 4:45 P. M.)



TRAFFIC CONTROL

By CHARLES F. TODD, Member of the San Francisco Board of Supervisors
and President pro tem of the California Traffic League

Mr. Chairman, Ladies and Gentlemen: and Delegates to the 28th Annual Convention of the League of California Municipalities:

Several most important and vital subjects relative to Municipal Government have been discussed by various eloquent speakers preceding me on this platform. In all of which the delegation from San Francisco is vitally interested.

But Traffic is the greatest problem that is before the American public today. Every business house of any consequence has its trained Traffic Engineer or Manager. In fact the profession of Traffic Engineer is rapidly receiving the recognition it so justly merits. The relief of traffic congestion is the outstanding problem before every Board of Supervisors, city councilmen and police officers throughout the 58 counties of the State of California, as well as the rest of the nation.

Traffic control should be worked out by competent Traffic Engineers, and not laymen, although nearly everyone with whom we come in contact has the solution for this rapidly growing problem. A good example of traffic control is brought to our attention on entering this great and picturesque Valley. Think of it! 35,000 cars and over 209,000 people entered this Valley last year, all brought in over precipitous mountain roads under the control of a few well-trained forest rangers. The traffic problem has come on us over night, from a few horses and buggies 15 years ago, to untold thousands of automobiles today. San Francisco with 44 square miles of territory, one-half of which is taken up with parks and

playgrounds, has 130,000 registered automobiles; nearly 6,000 to the square mile. We are building approximately 2,500 homes in San Francisco a year, and nearly everyone over a garage. Henry Ford has just finished his 14-millionth automobile and is now enlarging his plant in order to keep up with the demand for cheap transportation. This is only one of the conditions that is making our traffic problem so serious, and necessitating the widening of streets and highways. At the present time, the San Francisco Board of Supervisors are listening to the representatives of 15 large financial institutions who are seeking a franchise to build a bridge, from San Francisco to the Alameda shore, costing anywhere from 40,000,000 to 100,000,000 dollars. What for? To relieve and speed up traffic. Needless to say that the attorneys and engineers who are presenting these great projects are the ablest attorneys and engineers that can be obtained. In fact, the greatest bridge builders in the world are now in San Francisco presenting their pet projects. After explaining the type of bridge they propose to build, they dwell for hours on the questions of landings and approaches, each claiming his location to be the best, as in his judgment will handle the greatest amount of traffic causing the least congestion.

Shortly after taking my seat on the Board of Supervisors last January, and receiving the Chairmanship of the Traffic Committee, I visited Los Angeles accompanied by the other members of my committee, and while there, learned a great deal about the handling of traffic,

both vehicular and pedestrian. The Los Angeles City Engineer, Mr. Dorsey, explained to us the synchronized traffic signal control system by which the entire down-town district is automatically controlled from a central point changing time several times a day to conform with the peak load of traffic. Mr. Cleveland Heath, assistant Chief of Police of Los Angeles, who is in charge of traffic enforcement and who by the way is attending this convention, gave us two days of his time, in explaining various traffic problems and showing us various conditions that he has to cope with in working out the traffic control system which he has so ably accomplished and in addition has given to our Traffic League many ideas that have been incorporated in the ordinance which will be mailed you.

We found that Los Angeles had a self-constituted, self-financed, non-political traffic commission, that had raised some \$30,000 or \$40,000 to employ the celebrated Dr. Miller McClintock to work out a comprehensive traffic survey for them, and it is in a large measure, due to Dr. McClintock that Los Angeles has the traffic situation so well in hand. After making our Los Angeles visit, the Committee unanimously recommended that San Francisco should have a similar traffic commission, to study its various traffic problems, and upon the adoption of a resolution from the Traffic Committee, his Honor, James Rolph, Jr., appointed a committee of some 40 prominent business men who organized the San Francisco Traffic Commission, independent of any political connections or affiliations, who financed themselves to the extent of some thirty odd thousand dollars, and I am happy to say have succeeded in engaging the services of Dr. McClintock and his staff to make a traffic survey for San Francisco.

Realizing the importance of uniform

traffic regulations, the Traffic Committee of the San Francisco Board, presented a resolution authorizing the creation of a Traffic League, to include all the cities and counties of Northern California. This resolution was unanimously adopted and a meeting called in San Francisco on July 16th and 17th, 1926, at which time about 40 gentlemen representing various northern districts were present. After discussion it was decided that the entire state should be brought together in this organization, and the name of California Municipal Traffic League was adopted, and organization was perfected to a minor degree.

I will be very brief in my remarks regarding the aforementioned meeting as each of you will be mailed a copy of the minutes; also a copy of the proposed uniform Traffic Ordinance which has been edited by Dr. McClintock; the adoption of which we recommend for the entire state. There will be a meeting of the Traffic League in Fresno, it being the most central point with hotel accommodations for a large gathering, on November 18th, 19th and 20th, and it is my purpose in appearing before you today to urge that a representative be sent from your city and county offices, both from the legislative and enforcement branches, to attend this convention where many important traffic problems will be discussed. In conclusion I wish to thank on behalf of myself and my colleagues attending this convention, each and everyone of the speakers who have so generously imparted so much useful knowledge and information regarding the many important subjects with which we are all confronted.

This is my first attendance at one of your conventions, but I assure you I will be on the job bright and early next year.

Dues Received Since the Yosemite Convention

Alameda, \$50.00; Albany, \$30.00; Alhambra, \$40.00; Alturas, \$30.00; Anaheim, \$40.00; Angels, \$15.00; Arcadia, \$15.00; Avalon, \$15.00; Azusa, \$30.00; Bakersfield, \$50.00; Belvedere, \$15.00; Beverly Hills, \$15.00; Bishop, \$30.00; Burbank, \$30.00; Burlingame, \$40.00; Calipatria, \$15.00; Carmel-by-the-Sea, \$15.00; Chico, \$40.00; Chino, \$30.00; Chula Vista, \$30.00; Clovis, \$30.00; Coalinga, \$30.00; Colusa, \$30.00; Compton, \$30.00; Concord, \$30.00; Corcoran, \$30.00; Corning, \$30.00; Corona, \$30.00; Covina, \$30.00; Davis, \$15.00; Delano, \$15.00; Dinuba, \$40.00; Emeryville, \$30.00; Fort Bragg, \$30.00; Inglewood, \$40.00; Palos Verdes 16-105, \$10.00; San Fernando, \$30.00; Signal Hill 90-115, \$30.00; Stockton, \$60.00; Walnut Creek, \$15.00; Arcata, \$30.00; Atherton, \$15.00; Auburn, \$30.00; Calistoga, \$15.00; Corte Madera, \$30.00; Daly City, \$40.00; El Segundo, \$30.00; Escondido, \$15.00; Etna, \$15.00; Fresno, \$60.00; Gilroy, \$30.00; Gridley, \$30.00; Hayward, \$30.00; Healdsburg, \$30.00; Hercules, \$15.00; Huntington Beach, \$30.00; Huntington Park, \$40.00; Imperial, \$30.00; Jackson, \$30.00; King City, \$30.00; Kingsburg, \$30.00; La Mesa, \$30.00; La Verne, \$30.00; Lemoore, \$30.00; Livermore, \$30.00; Lodi, \$40.00; Lompoc, \$30.00; Lynwood, \$30.00; Manteca, \$30.00; Martinez, \$40.00; Monrovia, \$40.00; Montague, \$15.00; Montebello, \$15.00; Newport Beach, \$15.00; Ontario, \$40.00; Orange, \$40.00; El Paso De Robles, \$30.00; Petaluma, \$40.00; Pinole 90-648, \$15.00; Pittsburg, \$40.00; Placerville, \$30.00; Porterville, \$40.00; Redondo Beach, \$40.00; Reedley, \$30.00; Richmond, \$50.00; San Anselmo, \$30.00; San Mateo, \$40.00; San Leandro, \$40.00; Santa Rosa, \$40.00; So. San Francisco, \$40.00; Sutter Creek, \$15.00; Tulare, \$40.00; Vallejo, \$50.00; Watsonville, \$40.00; Yuba City, \$30.00.

1927 Convention — Sacramento

At Yosemite Sacramento was chosen as the home of the 29th Convention of the League. The Capital City has for several years extended its invitation and now that it has been accepted, plans are already on foot for a most royal entertainment and convenient housing of the large delegation which now attends annually.

Sacramento will be an ideal convention city from many angles, among the foremost of which will be the visitation to a city which has made such extensive advancement in so short a time. The municipality believes in setting the pace and expecting her citizens to follow which evidently has been well accomplished.

The following, which aggregates \$58,000,000.00, indicates some of the improvement progress attained in the last five

years, exceeding the entire previous eighteen year period: Filtration Plant, \$2,700,000.00; Auditorium, \$850,000; Extension Water Mains, \$200,000; Removal of Old Levee, \$65,000; Garbage Incinerator, \$216,000; Harbor Improvements, \$250,000; Extension Sewer System, \$91,000; Additions to Police and Fire Alarm System, \$25,000; Levee Revetments, \$90,000; Pedestrian Lane through Subway, \$13,000; Subway, \$66,000; Streets improved, 45 miles, \$4,600,000.00; Miscellaneous Municipal Improvements, \$1,000,000; Development of Wm. Curtis and Wm. Land Parks, laying out and improvement nine hole golf course in latter; \$1,800,000, recently voted for additional filter beds and extensions of water and sewer mains.

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METHODS OF HANDLING TRAFFIC DURING STREET CONSTRUCTION

By J. C. ALBERS,

City Engineer of Beverly Hills.

When the City of Beverly Hills was preparing plans for the improvement of Wilshire Boulevard the problem was discussed, whether to do the construction under traffic conditions or whether to detour traffic around through Beverly Hills; without any opposition it was decided to go ahead and build the boulevard and handle traffic, so on the plans referring to the boulevard work it was noted that **ONE-HALF OF THE BOULEVARD MUST BE KEPT OPEN TO THE PUBLIC TRAVEL AT ALL TIMES**; and all bidders had their attention drawn to that note. And I will say the prices were a trifle higher than if the boulevard was to be closed to traffic for five months.

The job was started on June 21st of this year and at this writing is approximately 35% completed, the most difficult part of the job nearing completion, the work covering a trifle over two and a half miles.

This work carried the following improvements: the lowering of a six inch oil line on the south side of the street, while the gas company changed the location of their mains on the north side, so the street would not have to be torn up for service connections; directly back of the gas company followed the 48-inch storm drain, being installed on the north side of the street, and at another portion a pedestrian tunnel was being constructed, one-half at a time. The construction of the tunnel necessitated the changing of the location of gas and water mains and

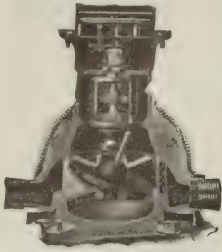
the change of grade of a sewer and the curving of the storm drain around the south side of the pedestrian tunnel.

I wish to say in laying a large storm drain or building a pedestrian subway it isn't as a rule a great job to lay one out, but is like a grab bag after a fellow gets started, as all kinds of surprises come up with utility lines never thought of, which interfere by crossing at the same grade when you figure you clear everything.

A combination curb and gutter crew was getting in wherever they could get a run for a few blocks and at this writing 90% of the concrete curb and gutter is in and grading is under way to start laying concrete pavement, as this will be quite simple from a traffic standpoint. This pavement will be laid in three sections, the south portion being poured first; and then the north portion and lastly the center. All work pertaining to the traveled portion of the roadway, which is seventy feet from curb to curb, should be completed by November, the job being let so as to have it completed before the winter.

Conduit is also being installed for an ornamental lighting system, the day following the pouring of the curb, and conduit for traffic signals, is being installed prior to the laying of pavement and sidewalk. The installation of lighting standards is to follow the improvement.

In changing the lighting system it has been figured so that none of the side streets shall be darkened during construction on Wilshire Boulevard.



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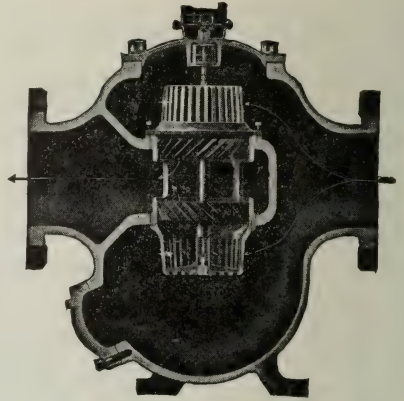
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The three major points to keep a trunk boulevard open are, I believe:

(1) To allow traffic to follow the regular line of travel which it has always been accustomed to, especially fire and police cars.

(2) To allow the different classes of business operating on the thoroughfare, to at least carry their overhead. I have made a brief canvass of the business places operating on Wilshire Boulevard and the heaviest losers are the produce dealers; they claim their business is about one-half, but all other lines of business are normal and I dare say we have had only a few complaints in blocking gas stations for about 60 hours during the placing of the storm drain.

(3) The last and most vital is, as the new concrete work on curb and gutter is bridged, not to detour on light residential streets which are in most cases five-inch concrete or four inch macadam and sometimes lighter; it first ruins these streets which are rarely ever repaired unless a permanent improvement is done on the detoured streets. There is also the dust that is whipped up by the traffic; and lastly is the factor of safety, especially in a residential district where children and pedestrians are not accustomed to the in-

creased traffic; there may be numerous other factors, but I believe this covers the subject briefly.

Wilshire Boulevard is handling at least ten thousand cars a day as two of the trunk boulevards to the south of Beverly Hills are partially closed.

This boulevard is policed during the construction by four policemen, two on motorcycles for through traffic, and two directly under the Engineering Department, to assist traffic around the steam and gas shovels and to direct trucks loading and unloading, and this is working out nicely.

In conclusion, if anyone is further interested, I will be very glad to show them how we do it, but it isn't anything new, but just a case of keeping every fellow moving so he can get along. And I can say that I have the first complaint to receive from any merchant on the street about the construction; but unless a street is fifty feet or better between curbs I do not believe it advisable to follow this method; but I believe most all trunk boulevards are at least fifty feet between curbs. The pictures will explain somewhat the character of work being done under traffic conditions.

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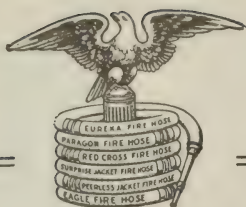
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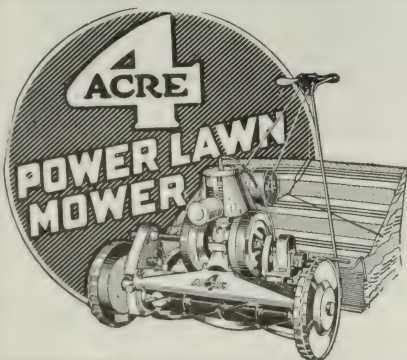
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A Model Plumbing Ordinance

DISCUSSION

MR. WRIGHT (Presiding): Very well, Mr. Richards is not here, so we will see

Mr. Newkirk of San Francisco, Field Man of the Master Plumbers of California, is here. (Answers "Here".) Mr. Newkirk will give us something about the model plumbing ordinance upon which he has been working for some time.

MR. WRIGHT (Presiding): I will now introduce Mr. Newkirk.

MR. NEWKIRK (San Francisco): Mr. Chairman, and Ladies and Gentlemen, in presenting this proposed ordinance we want to thank you for your assistance and the assistance of Mr. Locke, your Secretary, in helping us prepare this ordinance. The ordinance has for its purpose the protection of sanitation. I just listened to the previous speaker in his appeal to you and your responsibility to the different localities beyond your municipalities, and the thought comes to me, is there a common need of our subject. We find that the outside population is increasing outside of your municipal boundaries, and therefore all sanitary problems are increasing; and it is a very serious one. You are limited too frequently by imaginary lines, while your sanitary problem is a very menacing one.

Now, in presenting the subject I would like to skip over a few of the high points, what sanitation really means and the relation of sanitary plumbing to your welfare. (Reading).

Now, then, in developing this ordinance, it was developed by one of the past presidents of the State Master Plumbers' Association, and in that position he was able to see the need for just such an ordinance; and it has taken considerable time and a great deal of effort to present

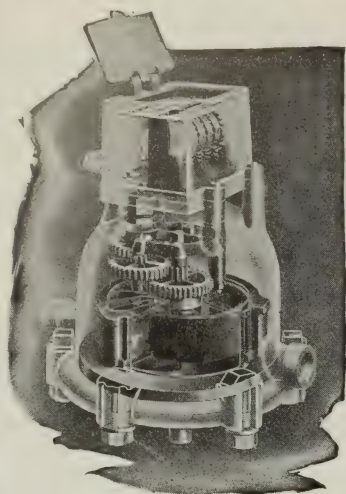
such an ordinance. It is not mandatory; it is not absolutely complete, but it is at least an effort toward uniformity and a means by which you can encourage the smaller surrounding communities to join with you in your health protection, and that is what we are asking you to do. This model ordinance as it is printed is available to you for the asking. It is in printed form, so anybody who wants one will have a copy sent to him by registered mail. We have provided some blanks to be filled out by those who want copies. I will leave them with the Chairman. It is uniform, it has been gone over very carefully as to its legal phases by your Executive Secretary, Mr. William J. Locke, and it is only a suggested form. We hope you will do everything you can to bring your ordinance in line with it and will encourage the surrounding municipalities to adopt some such ordinance. This is all leading to our purpose that in the next state legislature we hope to bring about a state-wide act which will demand and furnish a means of enforcing sanitary protection in those communities just beyond the municipal boundaries.

I will be glad to answer any questions, if you have any, on the subject.

MR. WRIGHT (Presiding): Does anybody wish to ask any questions on this subject of the proposed plumbing ordinance? There seem to be none. Mr. Mason has kindly consented to fill in for a few minutes and tell you about the appraisal of property for taxation and the system used in his section up north, and I think we will get something of benefit. Mr. Mason.

[EDITOR'S NOTE: Mr. Newkirk's paper is published at length in our September, 1926, issue.]

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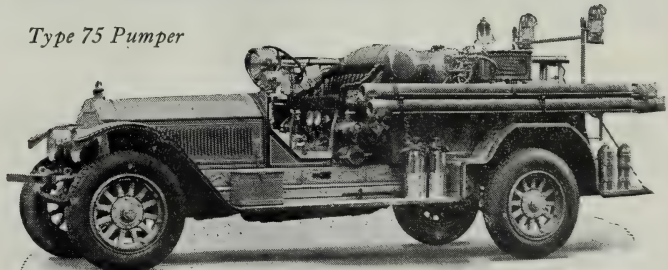
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Entered as second-class matter March 22, 1913, at the Post Office at San Francisco, California, under the Act of March 3, 1879.

VOL. XL TWENTY-EIGHTH YEAR No. 11

Editors.....H. A. Mason and Wm. J. Locke
Business and Advertising Manager.....H. A. Postlethwaite
Editorial and Business Office.....707-721 Chancery Building, San Francisco

Advertising Rates on Application

Address all Communications to "PACIFIC MUNICIPALITIES," Chancery Bldg., San Francisco, California

November, 1926

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LEAGUE OF CALIFORNIA MUNICIPALITIES

Organized 1897

Affiliated with the Bureau of Municipal Reference, University of California

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Official Printers: A. Carlisle & Co., San Francisco

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The League of California Municipalities maintains in connection with the Secretary's Office, a Bureau for furnishing city and town officials with information on municipal affairs, and loaning copies of new ordinances and specifications. Officials are urged to make a free use of this Bureau. Kindly send a self-addressed stamped envelope in all cases.

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OFFICIAL ORGAN OF THE LEAGUE OF CALIFORNIA MUNICIPALITIES

Entered as second-class matter March 22, 1913, at the Post Office at San Francisco, California, under the act of March 3, 1879.

SACRAMENTO, OUR CONVENTION CITY Week Beginning September 19th, 1927

All City Officials are most vitally interested in the industrial side of their City's activities. As a delegate you will therefore desire to begin now ascertaining facts with reference to the Convention City which you will visit the week beginning September 19th, 1927.

Of paramount importance industrially are the natural resources of a city and its tributary territory. Sacramento may be said to have every natural resource required by modern industry. For most lines of industry, it is a veritable paradise.

Sacramento has ample water for both domestic and industrial uses, supplied by the municipality at low cost from the Sacramento and American rivers. The water is filtered and chlorinated in a new \$3,000,000.00 filtration plant and high pressure is maintained.

Its equable climate permits the operation of plants 365 days in the year, if desired. The average summer temperature is 72 degrees, although the mercury passes 100 a few days in late summer, while the average winter temperature is 48 degrees. Seldom does the mercury drop below 32 degrees. The normal rainfall is 20 inches. Beautiful trees lining the residential streets insure coolness even on the hottest day.

There is ample ground for expansion. The city now contains 13.92 square miles within the incorporated area, but it can

expand ten to fifteen miles both east and south. Across the American river to the north is the rapidly growing suburb of North Sacramento, while to the west across the Sacramento river is West Sacramento. Numerous new industries have located in these suburbs recently.

Raw materials of nearly every class are found in almost limitless quantities within the tributary territory. Sacramento is the distribution center for a great inland agricultural empire, the annual farm products of which exceed, according to present estimates, \$135,000,000 annually. Citrus fruits grow luxuriantly within the territory, the oranges maturing a month ahead of the southern crop. Within the territory are the largest cattle and sheep ranches in the State, furnishing hides and wool.

Within 100 miles of the city are almost inexhaustible deposits of industrial and structural minerals, which form the basic raw materials of industry. Few of these deposits are yet developed, as there are no industries to utilize them. Mountains of high grade iron ore are to be found a little farther to the north, although there is an immense deposit within sixty miles of the city, and a good grade of sub-bituminous coal is being developed about forty miles south of the city in Amador County. With the exception of salines, practically every mineral used in industry

is found in commercial quantities in the city's tributary territory. Space does not permit listing these minerals.

The city has created a public utility district, the Silver Creek Power Project, and proposes to erect its own municipal hydro-electric plant, sufficiently large to meet all future needs.

Recently what is said to be the largest gas storage tank in the West was completed in Sacramento.

Few communities in the world can boast of the transportation facilities possessed by Sacramento. In fact, it is a hub of all forms of transportation. Two transcontinental railroads, the Southern Pacific and Western Pacific lines, directly serve the community, while an interurban electric line affords connection with a third, the Santa Fe, at Stockton. Three transcontinental routes are afforded by the Southern Pacific, which enters the city from the four points of the compass; the Shasta route, via the Northwest; the Oregon route, directly east, and the Southern route, via the Southwest.

In addition, Sacramento is served by a network of fast electric interurban trains, the Sacramento Northern railroad, reach-

ing to Woodland, Marysville, Colusa, Oroville and Chico, lying to the west and north; the Central California Traction Company, giving service to Lodi, Stockton, Modesto, Escalon and Turlock through connections, and the San Francisco-Sacramento "Short Line" railroad, providing an electric service to the bay cities, via Bay Point, Concord and Walnut Creek.

One hundred and sixty passenger trains arrive and leave Sacramento daily.

Sacramento has excellent wharfage and warehouse facilities. There are now 4,734 linear feet of wharves, of which 1,850 are municipally owned, and 201,000 square feet of warehouse space, of which the city owns 74,000.

Sacramento provides many attractive subjects to the Municipal Official who will be particularly interested in an investigation of that City's wide-awake and modern City Management form of Government.

Sacramento's practice and ability to entertain, is emphatically indicated in the fact that there are already more than thirty conventions scheduled to meet in Sacramento during year 1927.

New Legislation for Municipalities

The regular session of the 47th legislature will convene at the State Capitol in Sacramento at twelve o'clock noon on January 3rd, next. In all probability many new bills affecting municipalities will be introduced at this session, some of which may be desirable and others quite the reverse.

For the purpose of looking after municipal legislation, it has been customary for the President of the League to appoint a special legislative committee biennially to watch the progress of events at Sacramento besides preparing and

introducing such new measures as may be deemed necessary or desirable for our municipalities. Following this custom our new President, Hon. John J. Sippy of Stockton, has just appointed the League's legislative committee for the forthcoming session, and the meetings of the committee will be held within the next few weeks.

City officials having any suggestions to make regarding new legislation will please send them in as soon as possible to the League headquarters in San Francisco so

that they may be taken up by the committee without delay.

The governor-elect has long been acquainted with the work of the League and may be counted on for his friendly cooperation and support. A number of measures that were passed by the legislature two years ago only to be consigned to the governor's waste basket without apparent reason, may be introduced at

the forthcoming session with the assurance of more friendly consideration at the hands of the chief executive. The governor-elect, Hon. C. C. Young, is assured of our earnest desire to cooperate with him in every way to make his administration one that may be looked upon by the future historians as marking a decided forward step in the progress of our beloved state.

Clerks', Auditors' and Assessors' Page

Edited by W. E. VARCOE, City Clerk of Alameda.

Resultant of the League meeting held in Yosemite Valley, a motion prevailed in the Clerks', Auditors' and Assessors' Department "that the President of this Division be authorized to appoint a Committee to arrange for, and edit, a page in PACIFIC MUNICIPALITIES to be devoted to the activities of this department." Our President, John J. Lynch, City Clerk of San Jose, in accordance with this motion has appointed the following to serve as this Committee for the year: W. E. Varcoe, City Clerk and Purchasing Agent, City of Alameda, Chairman; George Hildreth, Auditor, City of Vallejo; Eugene W. Smith, City Clerk and Assessor, City of San Rafael; H. G. Denton, City Clerk of Sacramento.

This is the first issue of PACIFIC MUNICIPALITIES since the appointment of the above Committee, and as a foreword, it is hoped that through a liberal use of this page in the future, a mutual exchange of ideas and suggestions will be had that cannot help but prove to be beneficial to all members of our department. We must always have in mind, however, the fact, that its success depends entirely upon the interest taken and contributions made to it by each and every member. It is only through this method shall we accomplish the results desired.

Your Committee will use every endeavor to have each subject presented, fully discussed, and we want you to feel that this page is your clearing house for problems upon which you may need enlightenment, as well as the passing along of ideas to your fellow workers which may be of benefit to them.

We have endeavored to explain the purpose of this page. Your interest and activity will prove its worth. What have you? Ask or tell us NOW!

Mail your reply to W. E. Varcoe, City Hall, Alameda, Calif.

* * * * *

Standardization of work throughout our municipalities has been a theme discussed at our conventions for many years past. The first definite action upon any of the matters presented, however, was taken at the joint meeting of our department with the city attorneys. After a considerable discussion and upon the unanimous recommendation of our attorneys the following motions prevailed: "That upon the approval of the Minutes, the Record Book should be signed by the President or Mayor" and that "the names of the Mover and his Second should appear in all actions."

Many of the Clerks present were already following this procedure, but many

were not. The unanimous vote of the two departments, however, show that it is a wise plan to adopt, and in as much as it can be accomplished without working a hardship on anyone, let us as City Clerks standardize our work in conformity with the action taken.

* * * * *

One of the most discussed subjects at our convention meetings has been "A System for Uniform Accounting for California Municipalities." This has proved to be a most interesting subject as it is one in which all members of our department are vitally interested. While the discussion has heretofore been dealt with in generalities with some forms submitted to substantiate these generalities, President Lynch was authorized to appoint a Committee whose duties it will be to

submit for our consideration at our next meeting in Sacramento, a concrete plan covering the entire subject.

* * * * *

For the purpose of a closer fellowship and understanding of those things pertaining to our work, our President has also been authorized to appoint a Committee to divide the state into districts, and to plan meetings within those districts during the year. This is a fertile suggestion and should be productive of results. Group and round table discussions, with its interchange of ideas among those of us in municipal life should always be acceptable, and if this method is carried out a most worthy and enlightening program for our next convention should be the result.

Public Health Engineering Abstracts

October 30, 1926.

City Authorities Held Responsible for Typhoid. Anon. Canadian Engineer, Vol. 50, No. 26, June 29, 1926. pp. 697-698 and 716.

The full text is given of Justice Logie's judgment in case in which the City of Owen Sound, Ontario, the Public Utilities Commission and the local Board of Health were sued for damages by a girl who contracted typhoid during an epidemic in September, 1925. The plaintiff was awarded damages of \$2,000 with costs. Justice Logie stated that the evidence presented was fully convincing that the typhoid was water-borne, and he severely rebuked the civic authorities for gross negligence in disregarding repeated warnings that the water supply was of dangerous quality. Despite instructions from the Provincial Board of Health that steps be taken to insure the safety of the supply, and reports from the local representative of the Provincial Board that the quality of the water was unsatisfactory, chlorination was postponed until it was too late. It was brought out in evidence, brief extracts from which are included, that some time previous to the epidemic an old reservoir was put into service which had been closed on the recommendation of the Provincial Board of Health in 1916, when there was typhoid among the troops quartered in Owen Sound. When this connection between the reservoir and the city supply was closed the epidemic abated.—Rudolph E. Thompson.

(Continued on page 449)

Proceedings of the Twenty-eighth Annual Convention of the League at Yosemite Valley August 16th to 20th, 1926

(Continued)

SESSION OF THE MORNING OF AUGUST 17, 1926.

MR. ALLEN H. WRIGHT (Past President of the League), City Clerk of San Diego, Presiding.

The meeting was called to order.

MR. WRIGHT (Presiding): At this time I wish to announce the names of the members on the Resolutions Committee: City Attorney Robert L. Shinn, Sacramento, Chairman; E. J. Garard, Councilman, Richmond; Doctor W. B. Wells, Health Officer, Riverside; City Manager John N. Edy, Berkeley; Al Sutherland, Mayor, Fresno. These five will meet at the call of Chairman Shinn, and all who have resolutions which they wish to come before that committee will please lay them on the table up here.

For the Nominating Committee, I have received the names of but two representatives of departments, and I would like to have the name of the representative from the city managers' department who is to serve on the Nominating Committee from that department.

DELEGATE: Mr. Edy of Berkeley.

MR. WRIGHT (Presiding): Who is representing the health officers' department?

DELEGATE: I don't think they have had a meeting yet.

MR. WRIGHT: From the clerks, auditors and assessors the representative is

Mr. Denton, City Clerk of Sacramento, and it happens that City Attorney Shinn has been nominated from that department, from the city attorneys department.

Those departments who have not yet selected members for the nominating committee will please do so as promptly as possible, so the meeting will be complete.

I will state on behalf of the Merced Chamber of Commerce that each evening copies of the Merced Sun-Star will arrive for delivery here free of charge to delegates, containing a report of the proceedings of the Convention, so see that you get your copy of the Merced newspaper.

I will ask if Mr. John R. Richards of the Mayor's Telephone Committee of Los Angeles arrived. It may be he will not be here, and yet that is one of the very important matters in which we are interested. We are looking for telephone rate regulation, (no response by Mr. Richards), yet he does not seem to be here.

We will then take up the second paper on the program, How Regional Planning is Beneficial to the Cities, by Mr. Hugh R. Pomeroy, Secretary, Regional Planning Commission of Los Angeles. Mr. Pomeroy. (Applause).

How Regional Planning Is Beneficial to the Cities

By HUGH R. POMEROY, Secretary,
Regional Planning Commission of Los Angeles

MR. POMEROY (Los Angeles): Mr. Chairman and members of the Convention, I would like to add just one word to the title announced by the Chairman of the Convention. Regional Planning is a department of Los Angeles County rather than of the City of Los Angeles.

I did not know I was to be called upon to break the ice this morning, but since the Convention has lived up to its long established custom of being a half hour late, I shall be coming in at the time allotted to me, in any case.

When I spoke before the Convention in Long Beach last year on the subject of Subdivision Control, it was from a paper which I had laboriously prepared in the several hours after three o'clock that morning. We are generally so busy in the practice of regional planning that we do not get much time to write on the subject. This time I did not commence in the early morning to prepare a long paper. My paper consists of a very brief outline which I shall use as a basis for my discussion of the relation of regional planning to the municipalities within the region.

In the first place, I feel as one of rather a distinct group in attendance at this Convention, because I am one of not over four or five who are representing county governments. To be sure, we have with us several supervisors from San Francisco County, but they sort of live a double life. They attend the state supervisors convention and then they attend the municipalities' convention, and they are entitled to be represented in both. But there are only a few of us qualified to represent purely county governments here, and I think it is a signal honor.

Los Angeles County, while it is a county government, may be considered to be one of the largest municipalities in the state. This is by reason of the fact that, outside of the forty-four incorporated municipalities within the boundaries of Los Angeles County, there are almost an equal number of unincorporated communities which present distinct urban problems. These communities exist under the general powers of the County government, which becomes the third or fourth largest municipality in the State of California, if we look at it in that light.

One of the problems which has concerned us has been the necessity for the municipalization of the functions of the Los Angeles County government, by reason of the urban problems to be faced in the unincorporated communities.

I had the privilege last week of visiting with Mr. Paul Studensky, Secretary of the Committee on Metropolitan Areas of the National Municipal League, who is making a nation-wide survey of county, municipal and regional governments throughout the United States, trying to answer the question, "What is the best form of metropolitan or regional administration? Is it municipal consolidation or expansion? Is it enlargement of the powers of county governments, or is it the creation of special regional or metropolitan districts—as has been done in some cases?" I believe the report of that committee when issued will be one of the most significant texts on city and metropolitan government that has ever been produced, because it is based on the important experience of the last few years in attempting to solve the

intricate problems that have been growing up in our city governments within the last century, largely as a result of the tremendous increase in motor vehicle transportation which, in itself, is one of the greatest factors in our present civilization and present day government as a whole.

Mr. Studensky particularly noted, upon investigating the type of government in use in Los Angeles County, that in not one of the population centers of the United States had he found any county government which was invested with such a great variety of functions, such a multiplicity of tasks of detailed governmental administration. So, upon that basis, I feel that, although I may represent a county government, I am likewise the representative of a government, which, by assumption at least, is one of the largest municipal governments in the State of California.

I am scheduled to talk to you on the benefits of regional planning to municipalities. We haven't a very large field to draw from other than the County of Los Angeles, which was the first governmental organization in the county to establish the function of regional planning and which has, therefore, today a greater opportunity to test the operation of regional planning through experience—experience, by the way, which has covered a period of growth which has probably been the most intensive which any populous area has ever faced. However, there are several other regional organizations in the United States to which I will make reference. I would like to bring to your attention the service which a regional planning organization can perform in certain specific acts of beneficial assistance to the municipalities with which it comes in contact, and then to discuss the relation of the municipalities to the region on the basis of the theory of regional planning.

The second regional planning organization created in the United States was set up as a division of the Metropolitan District at Boston, the Metropolitan District having been created by state legislation and consisting of some forty municipalities. First was created a sewerage district over fifty years ago, then a water district, or the other way around, then a park district, and finally these were consolidated into one, and in 1924 regional planning was added. We find that the division of metropolitan planning serves as a big brother, in terms of city planning, to the cities and towns within the boundaries of the district. The district has technical men in its employ who are able to make specific studies of problems which are of interest to the various municipalities. The consultant of the division of metropolitan planning offers his services in terms of general consultation to these municipalities, who thus have a certain amount of specialized service as well as the benefits of the general regional plan.

The chief moving spirit of city planning in Milwaukee is Mr. C. B. Whitnall, the father of G. Gordon Whitnall of the Los Angeles City Planning Commission. I don't know whether Gordon is a chip off the old block, or the other way around, but anyway there have been some interesting parallel developments in planning in Los Angeles and Milwaukee. The cities of Milwaukee County look to the regional planning organization for advice in certain problems of city planning.

A similar relationship exists, although not worked out on the basis of the regional plan, in the State of Pennsylvania. The state government has a Department of the Interior, and that department has a bureau of city planning under the direction of B. Antrim Haldeman, one of the early pioneers in the administration of city planning in the United

States, and there the state department of city planning offers its service to the various municipalities, even to the extent of preparing detailed and comprehensive plans for these municipalities, the municipalities bearing the cost of printing the report and other incidental expenses. The consulting service is furnished by the state department without expense to the municipalities.

A regional organization is being developed in San Diego County, through the efforts of Mr. Kenneth Gardner of the San Diego City Planning Commission, who has been largely instrumental in developing a spirit of cordiality among the municipalities of San Diego County through what is known as the San Diego County League of Municipalities. They have set up a committee and are getting it recognized by the Supervisors as an official county department. This committee is spreading the spirit of co-operative planning among San Diego County municipalities.

A regional planning movement has recently been got under way in the Monterey Peninsula, where, I believe, a volunteer organization of representatives of various municipalities on the Peninsula is getting together. Mr. Charles A. Cheney, who has been doing work on the Peninsula, has had considerable to do with the organization of this work. This is the third regional planning movement in the State of California on an official basis. There is also the Regional Planning Association of the San Francisco Bay Counties which has been carrying on preliminary studies and has been doing considerable educational work.

Coming to the Regional Planning Commission of Los Angeles County, there are certain specific acts of assistance to the municipalities which might be outlined. Our office equipment and office force has always been behind the need, of course, because of the rapid development within

our County. However, we have been able to offer our services in connection with some rather detailed plans. Our office has prepared studies and plans for highway and street planning for Venice covering the intricate problem of adequate provision for the "terminal" traffic from the highways which end at the Coast, as well as working out problems of detailed street planning. Our office made a preliminary study covering certain particular phases of street planning for the northern part of the city of Inglewood. We offered our services to Glendale but they were not ready at the time the offer was made to take advantage of it, and when they were ready we had become knee-deep or, rather, neck-deep in our zoning work and were unable to devote the personnel to the study we had expected to make. We have not had the equipment, the personnel, nor the desire to intrude ourselves into municipal problems, but are ready upon invitation to come in and assist in certain detailed problems, in so far as we are able.

Through our work of zoning in Los Angeles County, in which field we have been making extensive studies covering the entire county, we have been endeavoring to develop a set of standards, a standard type of procedure and a general uniform standard form of ordinance which might be used for the various cities of the County as well as the County itself. With the rapid change of political boundary lines in Los Angeles County the consolidation of various cities, the coming into existence of new incorporated cities, and the problems incident to unincorporated communities, we felt it rather important that there be a uniform procedure and a uniform set of standards covering the entire area, and it has been our purpose, through the Regional Planning Commission to prepare these standards, serving not only the large unincorporated communities of the County

but also the municipalities themselves, if they desire to take advantage of the service offered.

That is likewise true with regard to general planning procedure. The City Planning Commission is set up by the municipality. That commission consists of men of high intelligence and high purpose, but they are men who in general have not had the opportunity of any considerable contact with the study of the science of city planning. We find that these commissions are desirous of securing whatever assistance may be made available for them, and so, in outlining the general procedure of preparing and adopting a city plan, what it should contain, how the conclusions should be reached and how the plan should be built up, our office stands ready to serve the municipalities of the County. That work has been facilitated by the organization, on the part of the city planning commissions of the county, of what is known as the Association of City Planners of Los Angeles County, a body with membership open to all who are interested in the subject of city planning, particularly from an official standpoint. That association holds monthly meetings. I attended the last meeting, which was held last Saturday at Palisades del Rey, just before leaving for this Convention. There are usually present from 125 to 200 people representing from 30 to 50 towns and municipalities. It is a place for the exchange of ideas and experiences, and for the discussion of subjects of general city planning interest. We hope further to amplify our service to the cities when we get into our new quarters, which are now in preparation. With the completion of these we will inaugurate courses of instruction in city planning, where members of local planning commissions may attend regular courses of study outlining the general principles of city planning and their application, and discuss in detail

the various elements and problems met in city planning. That will probably be made more effective by the use of motion picture equipment, with which we can illustrate city planning progress throughout the country. I imagine traffic control can best be illustrated that way, although some intersections do not offer much opportunity for the use of motion picture equipment in showing intersection conditions during the busiest hours. A recording phonograph might be better.

We have been of such educational service as has been possible. Our office has always been willing to send out speakers or information to the various cities of the county to assist them in the solution of any particular local problem.

You have no doubt observed that I have made continued reference to our own problems in our own county and in our own work, but it is the only well worked-out example we have in the State of California, because it was the first official commission.

Now, coming down to the relationship of the regional plan to the city from the general theory of regional planning. The question is asked: What is the region? Regional planning, of course, exists upon the basis of the existence of a regional problem. The term "region" which has recently come into use, primarily refers to a group of communities faced by common problems. Upon the basis of a definition of that kind you may well see the benefit of regional planning to each individual member of the region, whether it be a piece of unincorporated territory or whether it be a municipality of the sixth class or whether it is a municipality of a quarter of a million people or more. The "region" may also be said to be a group of inter-related functions, industry, commerce, residential development, recreation, and all the various other things that make up the life of a vast community. We think in terms of the region

without intervening political lines, because so far as the problem confronting the region is concerned these intervening boundary lines do not exist. They exist very definitely in the details of administration of the problem, of course, but so far as the fundamentals of the problems are concerned the "community of communities," which makes up the region, exists as one great composite unit.

A Regional Planning Commission has the responsibility of determining a "sense of direction" for the region. What is its purpose? What are the combined purposes of the various functions contained within the region? What shall be the nature of its growth? What does the future hold? Those things should be the predominant purposes of any regional plan, while, of course, determining and providing for all present needs. Practically all of the planning we see in operation is to care for our present needs: the building of better streets, better traffic control, the zoning plan, more parks and boulevards, etc. We gain little, however, if we devote ourselves exclusively to keeping up with the needs of the present. We should lift our vision high enough to see what lies ahead for the future. So the regional plan seeks to do this: on the basis of a comprehensive plan, first, determine the needs of the community as of the present and supply those needs and then use that as a basis for looking on ahead as far as possible and lay down the broad principles of the plan of development required within that period of time. Don't misunderstand my statement. It is not possible for any city or region to provide in terms of construction all of those things which are necessary for the next generation or two. But it is possible to lay down the broad general principles which will make possible the consummation of those improvements which are necessary for the efficient and well-ordered community in the future.

Examine into your own city planning problems, in your own municipalities; the principal thing which you are doing in city planning so far is street planning usually making over an inadequate street system. Our Regional Plan is concerned with the general highway problem throughout the whole district, and in this has to remove the obstacles which the other fellow left. The City of Los Angeles, for instance, has embarked upon a Major Traffic Street Plan. The whole cost will be in excess of \$300,000,000; and most of it is removing obstacles which previous generations left, without, of course, knowing they were doing so, because, during the "crystallization" of the form of the City of Los Angeles, the transportation problems, as in all cities, have very distinctly changed. Now, if we can succeed in removing present obstacles and avoid leaving obstructions for future generations, we have fulfilled our greatest obligation to the demands of city and regional planning.

Now, a plan upon which depends the financial, the social and the economic future of a great group of communities has the most intimate relationship to every part of that great community. Let me discuss that so far as highway planning is concerned. I brought all the way up here a map of our regional plan of highways and then left it in front of the tent. You probably might not be interested in the details, anyway, and would not get more than a general flash of what the highway plan consists of. The regional highway plan of Los Angeles County is a network of 3,000 miles of future 100-foot highways. And, by the way, there are proceedings being initiated for over 500 miles of that highway system under the Mattoon Act. This plan of 3,000 miles of highways 100 feet wide, covers an area of 1,200 square miles, that being the regional area of Los Angeles

(Continued on page 451)

SUMMARY OF PROCEEDINGS

Of the Fifth Annual Meeting of the Pacific Coast Building Officials Conference, San Jose, California, Sept. 20-24, 1926

Definite accomplishment and real progress toward the goal set—the production of a Uniform Building Code especially adapted to the needs of the Pacific Coast, considering every building material at its full value, with a background of competent and unbiased authority, and based on the fair police powers of municipalities—that is what the fifth annual meeting of Pacific Coast Building Officials Conference optimistically reports at the close of its sessions today.

Pledges of aid in prosecuting the program for the completion of the code within the coming year poured in on the convention, running the gamut from technical aid pledged by research staffs of the material industries to legal aid vouchsafed by the entire legal section of the League of California Municipalities. There are other reasons why the skies are rosy for the members of the conference, who have devoted long and weary months of earnest labor in the preparation of the printed edition of the Final Preliminary Draft of the Code. One is, that the work has already progressed to a point far in advance of any similar endeavor made in this field, and the other is, that the closing days of the conclave brought into being a definite, comprehensive, detailed plan of procedure which will assure completion of the Uniform Building Code within the coming year. The plan was formulated and unanimously adopted by the executive committee at the final session of the convention.

DETAILS OF PLAN

This plan calls for the continuance of District meetings in the northern, south-

ern and central Districts. The area included in the scope of the Conference was extended this year to include Idaho, and now totals six Pacific Coast states, including British Columbia.

ADVISORY BOARDS

An advisory board is to be formed in each district, and will function within the district on the task of completing the Code.

Numerous representative branches of the building industry pledged their financial and personal support for the execution of this plan.

PUBLIC HEARINGS

Public hearings will be held in each district. All branches of the Building industry will be requested to voice their suggestions for the improvement of the Final Preliminary Draft of the Code at these hearings. The Final Preliminary Draft was formally presented and adopted for further study and revision by the Conference.

The advisory board of each district will be made up of architects, engineers, and contractors, through their official organizations, and members of the board will be requested to serve as technical experts.

One of the first steps to be taken in fulfilling the plan will be the appointment of a secretary-manager, whose duty will be to co-ordinate the work of the various district committees.

The secretary-manager will also receive and correlate the suggestions and criticisms for Code improvement from trade associations, material manufacturers, con-

tractors, engineers and architects, and all other branches of the building industry.

OUTLINE PROGRESS

A complete resume of accomplishments to date in the development of the Uniform Building Code is being prepared, and, together with an outline of the plan for the completion of this work, will be submitted to the governing bodies of the various municipalities which have contributed toward the Uniform Building Code work.

LIMIT DRAFT USES

The conference recommends that the Final Preliminary Draft of the Uniform Building Code should be used only in case of urgent necessity, and then, with caution.

In its present form the Draft is not a completed document, although it represents a compilation of the best data obtainable on building regulation at the present time. It is planned to distribute copies of the Final Preliminary Draft of the Uniform Building Code to those actively interested in building activities.

CONVENTION PROCEEDINGS

The convention opened at 10 o'clock Monday morning, Sept. 20, under the chairmanship of M. C. Woodruff, Building Inspector of the City of San Jose. The session was held in the main banquet hall of the Montgomery Hotel.

City Councilman Joseph T. Brooks of San Jose welcomed the Conference, figuratively, at least, giving them the keys to the city.

President R. L. Proctor, former Building Inspector of Seattle, Washington, responded cordially. Proctor took the gavel and presided over all sessions of the Conference.

Proctor submitted his report for the year preceding, and was followed by J. E. Mackie of Long Beach, who submitted the reports of the secretary-treasurer and the executive committee. A. C. Horner,

former secretary-treasurer of the Conference and Stockton Building Inspector, and now of Los Angeles, led a series of brief addresses discussing Conference activities. Other speakers were: C. E. Jenkins, vice president of the Conference and Alhambra Building Inspector; H. E. Plummer, Chief Inspector of Buildings of Portland, Ore., and President of the National Building Officials Conference; and S. P. Koch, Berkeley Building Inspector. The meeting was then thrown open to discussion from the floor, marked by expressions of profound interest in the work of the conference by both new and old members.

The acceptance of F. L. McGrew, Building Inspector of Idaho Falls, as a member, marked the admission of Idaho to the Conference, other member states being California, Washington, British Columbia, Oregon and Arizona.

The chief feature of the report of the secretary-treasurer was the presentation of the Final Preliminary Draft of the proposed Uniform Building Code to the Conference. One feature of the Draft was provision for special engineering supervision to be furnished by the owner or contractor under direction of a public building official for all large and complicated structures.

MONDAY AFTERNOON

L. H. Nishkian of San Francisco, consulting structural engineer, spoke on "Engineering in Building Codes," defining the functions of the engineer, and urging that the code be made as simple as possible, limiting its requirements to quality of material, permissible stresses, loads, and general engineering principles, and submitting valuable suggestions for the consideration of the meeting. Nishkian urged that the Code make special requirements for design for structures to meet earthquake and other stresses.

Robert Johnston, District Manager of the Associated Metal Lath Manufacturers' Association, in speaking on "The Relation of the Trade Associations to the Building Official," discussed the vast technical and research organizations of trade associations, on which the Conference could draw.

The necessity for special regulations for hotels, apartments and dwellings was discussed by R. W. Kearney, Executive Director of the Commission of Immigration and Housing of the State of California, in a talk on "Housing Regulation."

Ralph Wyckoff, San Jose Architect and Chairman of the Building Code Committee of the San Jose Chamber of Commerce, in concluding a paper on "The Architect and the Building Inspector," urged sympathetic co-operation between the architect and the building inspector, each to use the resources and technical knowledge of the other when useful.

A. Bevan, Assistant Manager of the Red Shingle Bureau of Seattle, submitted suggestions on the uses of shingles, relating to fire districts, type of nails, thickness of butts and weather exposure. R. F. Hammatt, Manager of the California Redwood Association, also spoke, congratulating the Conference on the progress of the Code. The evening was devoted to special committee sessions and discussion of Code problems.

TUESDAY SESSIONS

A lively discussion of the Final Preliminary Draft occupied both morning and afternoon sessions Tuesday. A demonstration by the Thermotite Construction Co., manufacturers of concrete building blocks, was conducted by Prof. Moser of Stanford University immediately after luncheon. R. L. Proctor presided at the Code discussions. Committee meetings again continued far into the night.

C. S. Knight, Manager of the Industrial Department of the California Development Association, was one of the chief speakers of the day, and received an ovation when he pledged continued aid toward the completion of the Code, from his organization.

City Attorney H. A. Postlethwaite of San Bruno, chairman of the building codes committee of the attorneys' section of the California League of Municipalities, and assistant secretary for the League, commended the conference warmly for its work on the Code, pledged the aid of the League, and urged that special attention be given to mould the Code in such form as to make it available for use of small cities, of the sixth class.

City Attorney Locke of Alameda, Executive Secretary of the California League of Municipalities, added his compliments on the Code work, and pledged the aid of the attorneys' section of the league in studying out legal aspects of the Code and in thrashing out future legal problems.

ADOPT BY REFERENCE

A feature of Locke's address which was greeted enthusiastically was his statement that the best legal opinion of California and the Supreme Courts of many states indicate that it is possible to adopt the conference code, when complete, by reference, greatly cutting the publication costs, so burdensome to small cities.

EXTEND SESSIONS

Because of unexpectedly heavy pressure of business, the business sessions were continued, on unanimous vote, at Wednesday meeting, for another day, and the recreational features were pushed forward for one day.

Experts in the building inspection field spoke at the morning session on problems of special interest. C. J. Hogue of the West Coast Lumber Extension Bureau of

Seattle spoke on "Dry Rot." Copies of his study were distributed.

S. P. Koch, Building Inspector of Berkeley, discussed the question of salaries for building inspectors, giving an analysis of salaries paid on this coast and comparing them with wages paid competent workmen.

J. G. Horne, Building Inspector of Tacoma, submitted a body of valuable information on new developments in his paper on "New Materials," attracting especial attention by comment on newly developed stuccos.

H. E. Plummer, Superintendent of Buildings of Portland and president of the National Building Officials Conference, spoke on "Sprinklers and Fire Prevention." This was followed by a discussion from the floor, and a talk by a sprinkler expert of the Pacific Coast Fire Underwriters' Board.

E. W. Bacon, Chief Building Inspector of Phoenix, Arizona, spoke on "Recent Court Decisions on Building Matters" and "Chemical Action on Reinforcing Steel."

Building Inspector C. M. Woodruff of San Jose spoke on "Masonry Requirements and Chimney Construction," urging the necessity for having chimney flues properly lined to reduce the generally prevalent fire hazards resulting from disintegration of chimney linings. Woodruff urged the use of the best grade of fire clay for linings, declaring that many brands of terra cotta—which disintegrates readily under heat—were being marketed under the name of fire clay.

Building Inspector O. G. Knecht of San Diego, spoke on "Engineering Regulations," emphasizing certain phases of material selection and use. Knecht also spoke on the inadequacy of the present architects' state license law, and the necessity for a contractors' license and bonding law.

STUCCO DEMONSTRATION

J. Kennedy of the Portland Cement Association conducted a demonstration of stucco in the convention hall, illustrating the provisions of the Final Preliminary Draft of the Uniform Building Code, as related to stucco construction. The practicality of the regulations for use of this material as set down by the code was shown, and the fact demonstrated that these regulations ensured a good stucco job. He also demonstrated methods for securing beautiful color combinations and effects in stucco work, and graphically illustrated the many possibilities and versatility of stucco.

A trip to Lick Observatory at Mount Hamilton was sandwiched in between the afternoon and evening special sessions and delegates looked over the stars through both the large and small telescopes, being extended the courtesies of the observatory generally.

THURSDAY PROCEDURE

Phoenix, Arizona, was selected as the 1927 convention city, after spirited discussion from the floor, in which the merits of Tacoma, Stockton, Long Beach, Santa Cruz, and Victoria, British Columbia, were argued. Building Inspector E. W. Bacon extended a rousing invitation for Phoenix, and pledged himself personally responsible for the entry of delegates and members from Colorado, New Mexico and Texas at the next session.

OFFICERS ELECTED

Without a single dissenting vote the convention elected the following officers to guide the conference destinies during the coming year: C. E. Jenkins, Building Inspector of Alhambra, Cal., president; S. P. Koch, Berkeley, Cal., vice-president; J. E. Mackie, Long Beach, Cal., secretary-treasurer; J. G. Horne, Tacoma, and E. W. Bacon, Phoenix, execu-

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BUSINESS TAXES

By PEIRSON M. HALL,
Member of the Los Angeles City Council.

An address delivered before a joint session of City Clerks and City Attorneys
at the League Convention at Yosemite.

We read in the second chapter of the Book of St. Luke, that there went out a decree from Caesar Augustus that all the world should be taxed, and all went to be taxed, every one to his own city, and Joseph also went up from Galilee, out of the City of Nazareth, into Judea unto the City of David, which is called Bethlehem, to be taxed with Mary his wife, and so it was that while they were there the days were accomplished that she should be delivered, and she brought forth her first born son, and wrapped him in swaddling clothes, and laid him in a manger, because there was no room for them at the inn.

Taxation, therefore, in addition to being the most constant, universal and unescapable influence upon individuals and nations, has helped to contribute one of the most beautiful stories of religious literature.

In the development of this subject, the possibilities of revenue from business taxes and methods of calculation thereof will be discussed rather than the idea of the collection of license taxes as an incident to regulation.

In seeking for the origin of the business tax it is necessary to review, in a degree, the history of taxation.

The financial power of Greece resulted largely from the tributes she exacted; another important source of her revenue was her royalties from her silver mines. She also had a moderate system of indirect taxes, as for instance, a levy of 2% on all imports and exports, court fees,

and fees for other services of the state, and an elaborate system of fines, as, for instance, if a woman went to a certain place called Eleusis in a carriage, her fine was, in terms of our money, \$1,180.00. She received rent and income from land owned by the state, and collected fees from foreign ships that docked in the harbors of her cities. The Government called on those citizens whose property exceeded a certain amount, to defray the cost of various public services, such as the cost of training and equipping public theatricals, and choruses for religious services, or the upkeep of certain warships, which were called *Liturgies*. At a later period of the development of Athens, these *Liturgies* were looked upon as privileges by the wealthy class, and came to be much sought after by those whose private fortunes permitted them to satisfy their vanity in this manner. In Athens a small tax was levied upon the proprietors or occupants of buildings, the doors or windows of which opened into the street. Direct taxes were looked upon in Greece as despotic and arbitrary, and it was considered a necessary element of freedom that a man's property and occupation should be exempt from levies by the governing power.

The revenue of early Rome, like Greece, was derived largely from exactions levied upon the countries she had conquered and from transmarine shipping. Her largest expense was the maintenance of her military and naval forces. Later, the building of public buildings and the

wonderful system of roads and drainage systems which to this day endure. Like Greece, also, she later developed a system of Liturgies. As Rome's power and her conquests increased, the tributes from conquered countries naturally diminished and public finances became a problem of maintenance, which in turn presented the difficulty of raising revenue, resulting finally into an intricate and oppressive and unwise system of taxes, that contributed in no small degree to her destruction. She had taxes on land, exports and imports, toll taxes, salt taxes, grain, meat, wood and stores. In the City of Rome we find the first instance of an inheritance tax and also a sales tax, which seldom if ever exceeded 1% on whatever was sold in the market place, or at public auction, "from the most considerable purchase of lands and houses to those minute objects which can only derive a value from their infinite multitude and daily consumption." The Roman tax-gatherer was known as a "publican." They were entrusted with extraordinary powers. Their subordinates and lieutenants were stationed at all the places where transactions were carried on, and they collected, not only the tax for the government but such additional revenues as the patience of the taxpayer would stand. We find here perhaps the first instance of the occupation tax, when a levy was made on the wages of prostitutes. In the latter days of the republic, to correct the disinclination on the part of the wealthy to marry, Rome taxed bachelors. And, I am very happy to report, that this tax is generally believed by historians to have been a failure, although used almost universally, later, in Europe.

In the early European period of Christian civilization, the finances required by the sovereign power were hardly more than the expenses of the

royal household, and were rather a matter of private, than public, housekeeping.

In the medieval period the expense of state finances was borne largely by income from the domains of the crown, with taxes as a subordinate or reserve form of revenue. The primary object of revenue was for the defense and protection of the sovereign and his subjects, and for the support of the royal families. But with the development of commerce and the revival of industry, towns and communities began to grow rapidly, with their consequent problems in local finances. The poll tax and property tax were created, duties were levied on articles of consumption. Municipal debts were created and means had to be found to pay them.

In France in 1791 we find the first instance of an elaborate business tax. This tax was defined by the law as follows: "Every person, Frenchman or foreigner, who carries on in France any trade, industry or profession, not expressly exempted by the law, shall be subject to the business tax."

The tax was general. The law aimed to reach all profits from industry or profession without any exception other than those expressly granted. It provided for a "fixed" and a "proportional" duty. The fixed duty seems to have been the tax on the occupation, independently of the conditions under which it is carried on, while the proportional duty was designed to take account of the varying conditions and profits that might exist between people engaged in the same trade or profession.

The occupations subject to the fixed duty were divided into three broad schedules.

The first included the general run of merchants and artisans. Merchants can be divided into three classes: those who sell principally to other merchants, wholesalers (*marchands en gros*), those who

sell both to retailers and to consumers (*marchands en demi-gros*), and those who ordinarily sell only to consumers (*marchands en detail*).

In this schedule the fixed duty was based upon the nature of the occupation and the population of the locality. The occupations were divided into eight classes, for each of which nine rates of duty were prescribed according to population. For example, in order to ascertain the fixed duty to be paid by a grocer in the city of Toulouse, it was necessary first to determine in what class his occupation belonged. He was in the first class if he was a wholesale grocer; in the second class if he sold both to retailers and consumers; and in the third class if he was a retail dealer. Then, in the second place, it would be necessary to examine the rates of duty applying to the class in which the grocer belongs, and to select the one which corresponds to the population of Toulouse.

The second schedule applied to a certain number of occupations, such as bankers, proprietors of department stores, and water or omnibus companies. It was thought that the population of the locality was not the only element to be considered in graduating the rates for different persons in any one of these occupations; and also that the occupations themselves could not be classified, as are those in the first schedule. Therefore a special charge was established for each of these occupations; and an attempt was made to adjust the fixed duty according to profits, by breaking it into two parts in the majority of cases. The first part was a determinate charge (*taxe determinee*) which varies for the same occupation according to the population of the locality, and, in exceptional cases, according to other circumstances. The second part was a charge based upon the number of persons employed in excess of five, and applies to most of the occupations in the schedule.

In some cases, however, such as water, omnibus and hack companies, there was no tax upon employees, but simply a special set of charges for these occupations.

The third schedule applied to industrial pursuits. It took no account of the population of the locality where an establishment was situated, since this generally has little to do with the importance of the enterprise. Here the fixed duty may be simply a determinate charge, a charge composed of variable elements, or a combination of the two.

The determinate charge was uniform for all taxpayers in the same occupation. It was, for instance, five francs for all tile makers whatever the conditions may be under which they carry on their industry.

The variable charge was intended to take account of the importance of the establishment and to proportion the tax to the size of the plant. The law selected in such occupations whatever appeared to be the best index of the probable profits. Thus a brewery was taxed according to the capacity of its boilers; a hat maker, according to the workmen he employed, a chocolate manufacturer, according to the number of workmen and machines in his factory.

The proportional duty was based on the rental value of both the dwelling house of the taxpayer and the premises used in the profession or business. The rate of this duty was not uniform; it varied from 1-3 per cent to 10 per cent. It had a complex system of exemptions, varying in application with almost every conceivable form of a business arrangement.

The four principles underlying the French business tax were as follows, generally:

1. Profits are not the same for all industries. There are various industrial and commercial pursuits which, on their very face, differ greatly from one another

in respect of their probable profits. Thus, it is fair to presume that a banker makes larger profits than a joiner, and that a grocer makes more than a cobbler. This is a presumption which is reasonable and justifies the classification of industries according to their assumed importance.

2. For commercial enterprises of the same class the profits ordinarily are in some proportion to population of the locality where the trade is carried on. A grocer in a large city has a better chance to make money than one in a village. This presumption, too, is not unreasonable so far as retail trade is concerned; but it is totally invalid in the case of manufacturing establishments. Therefore the law did not employ it in the latter case.

3. The profits of a manufacturer or merchant maintain usually a certain proportion to the size of the premises occupied, the number of machines used, and the number of employees. Thus a spinner operating a factory with one hundred thousand spindles has a prospect of larger profits than a competitor with an establishment having ten thousand spindles. A grocer with large stores can be presumed to have a better chance to make money than one who occupies a small store. A dealer in notions who has one hundred employees has a better chance than one who employs but ten persons. This presumption is not unreasonable; it is almost the only one applicable to large industries.

4. Business profits often stand in a certain relation to the dwelling that a person occupies; since the larger they are, the better the house that the recipient will occupy. This presumption, while not false, is the least accurate of the four. A man's dwelling may be an indication, rather, of the fortune he has previously acquired, of his personal tastes, or of the size of his family. Then, too, it can be said that, since a business man has

already paid the mobilier, it is clearly unjust to tax him again upon his dwelling.

Prior to 1891 the Prussian business tax resembled the French business tax. In 1891 a new system of business tax was inaugurated in Prussia, using the double basis of annual earning and invested capital, each basis being divided into four classes. If a business was in one class as to earnings and another as to invested capital, the tax official had the option of rating it in either class. The intention being that as a general rule the earnings should be the principal basis employed in making the classification. This tax corresponds to our present day income tax. The system presented a rather complicated method of calculation which in practice worked out very simply. This same process was employed in German cities.

Probably the earliest instance of a business tax, in this country, was in Maryland, when, in 1780 an annual tax of fifteen pounds was levied on billiard tables, and the marriage license tax was imposed. Why the enactors of the statute should pick on newlyweds and billiard tables at the same time, is beyond the realm of my comprehension. In 1819 the brokers license tax was instituted in Maryland, whereby \$500.00 per annum was charged every person who dealt in bank notes or lottery tickets. The enterprising legislators of Maryland next selected auctioneers. In Baltimore they paid according to the amount of sales, but in counties they paid according to the value of stocks on hand. This law has since been amended so as to encourage rather than restrict legitimate occupations.

Under the tutelage of State Governments, City Governments are usually required to cast about for ways and means to meet the ever increasing demands of the people on the already overburdened vehicles of municipal government. There

are a multitude of services required and tremendous demands for expenditures of public money due to the development of modern life, and to the highly organized groups, each having for its object the performance by the governmental function of some particular thing which they claim will cure all evils. The primary object of government is protection; but the trend of modern theorists, who have been successful in a large measure, is that the government is paternalistic, the municipality must control and regulate everything, and that inherent social evils can be corrected by legislation, in spite of the demonstration of centuries to the contrary.

In Los Angeles, by the new Charter, there are twenty-seven different departments, ranging in function from the regulation by a commission of donations to charity, to prescribing the kind of frame that shall be used on the oil painting of the ex-mayors by the Art Commission. In New York City the municipal budget for the present fiscal year was in excess of Four Hundred Thirty-seven Million Dollars. From these figures we can gather some conception of the multitude of functions expected by the taxpayer from his municipal servants. City Councils feel the full force of the universal aversion against the payment of taxes. People always are opposed to higher taxes, yet when given the opportunity by direct legislation, they invariably vote for the performance of some function which will increase expenditure of public money. Hence the present widespread attention to the development of the business tax.

The authority to levy license taxes for revenue lies inherently with the state, and there must be delegation of that power either in the constitution, or in the general laws before the municipality can exercise that power, and the general rule is that unless the constitution pro-

hibits the exercise of such power by the legislature it can be delegated by the legislature to municipalities.

By an early decision the doctrine was clearly fixed that where a charter of a city authorized the levying of such taxes they were constitutional and could be collected for revenue only, which remained the doctrine of California until 1921, when in a case arising in Los Angeles, the Supreme Court in construing a provision of the Los Angeles Charter in connection with the 1914 amendment to Section 6, Art. XI, of the Constitution, held that as to municipal affairs, the Charter instead of being a grant of power was a limitation of power, and that the imposition of a license tax for revenue only being strictly a municipal affair, the chartered city has that authority, unless it is prohibited by the Charter itself.

An odd situation is presented as to unchartered cities. It appears that unchartered cities in California, except cities of the sixth class, have no authority to levy a license tax for revenue only. The authority of sixth class cities to tax business for revenue only is expressly stated in Chapter 5233 of the Political Code of California.

Inasmuch as there is no restriction as to the method of calculation of a business tax in California, it may be well to observe the practice of some of the various states and cities in the United States in levying license or occupation or business taxes. It is as varied as the sympathies and antipathies of human nature. Throughout the Southern states almost every occupation known to human ingenuity is taxed by the state, with authority to the cities to tax up to fifty per cent the amount the state levies. A particular antipathy seems to have existed against sewing machine and lightning rod agents. In Alabama a lightning rod agent has to pay \$150.00 for each county, and \$50.00 for each team or motor, while those en-

gaged in ledgerdemon or sleight of hand pay only \$5.00 per year. Most amusements are taxed according to the population of the community, and pay a weekly tax. In Arkansas we find that specific authority is conferred on municipalities to tax among other things, ordinaries, lung testers, and muscle developers, occupations which have not as yet come within the range of my experience.

In Delaware two methods of calculation are used. For instance, the operator of a haunted swing pays \$20.00 license, public baths \$10.00, operators of razzle dazzle \$25.00, and manufacturers of goods \$5.00 annual license, and one-fiftieth of one per cent of gross receipts. In Florida there is also a variation of the method of calculation of the tax. Banks pay according to capital, dealers in and manufacturers of specified commodities, circuses, shows and water companies according to the population of the city or the county. Illustrating the prohibition of a business by taxation, hypnotists are taxed \$500.00 for each county, although I am inclined to believe, after a recent visit to Florida, observing the aftermath of the real estate boom, if they had collected Five Hundred Dollars from each hypnotist operating in the real estate business in Florida, they would have enough money to discharge the National Debt.

In Georgia the same variety of method of calculation is employed, and we find that public utilities and transportation companies pay a state license of \$25.00 for each official occupying the office of president, general agent or superintendent. Lawyers, doctors and other kindred occupations must pay an annual license of an arbitrary figure.

In Massachusetts we find specified restrictions by the state upon municipalities to levy licenses, and the amounts prescribed.

In Mississippi we find the greatest variety of method. In addition to the arbitrary licenses, some taxes are levied according to the population of the county or municipality, others according to the capacity of the establishment, as for instance, cotton gins are taxed according to the capacity of the plant in bales. A number are taxed according to the capital employed, some according to the stock on hand, and news stands on trains pay according to the mile of track over which they operate. Dealers in coca-cola are singled out as being particularly accursed, for they pay a minimum of \$100.00 per year and graduate upwards, according to the population of the town in which they operate, to \$500.00 per store.

New Mexico probably levies taxes on the least number of businesses, by specifying only five. But the municipalities are authorized to levy a license business tax of not to exceed \$1.00 on each \$1,000.00 volume of business per annum.

Oregon, Washington, Idaho, Nevada and Arizona confer authority generally on the municipalities to levy business taxes.

As can be seen from the usages of the various sections of the country, various methods may be employed in the taxation of business. The tax may be levied in the form of a license or as an ordinary tax. Its amount, if not a fixed sum, may be determined with reference to the net income of a business, the gross receipts, the rental value of the premises occupied, the size of the town or community in which the establishment is located, the number of employees or the number of machines in use, or the amount of raw materials used by any manufacturing enterprise or the amount of goods purchased by a mercantile concern. The committee of the National Tax Association recommends that the most favorable method for municipalities is that of net

income, arguing that all persons must keep records, for the federal income tax purposes, and that therefore it would simplify the burden of the taxpayer in the calculation and payment of the tax. They recommend against a graduation of rates, and suggest a figure of two per cent.

The sales tax has come into some prominence in recent discussions of the problem of municipalities to raise revenue. Much can be said in its favor. It would yield a large revenue; the flow of revenue would be fairly constant and dependable. It would be paid directly by the whole body of the people in small amounts by each individual. The sales tax would provide a more elastic source of public revenue than the property or ad valorem tax, because the increasing value of property does not keep pace with the increased demand for municipal revenues. The expenditures of the city for schools, for public improvements, or for new public services have at best only an indirect relation to the value of property—their direct relation is the size, needs, activities and expenditures of the population. These activities and expenditures are intimately related to the amount of business done in a community. They tend to expand when business is good and contract when business is poor. Municipal expenditures have been out-running the growth of taxable property valuation, but they have not increased more rapidly than the volume of business

in a community. The most serious argument against the sales tax is that in some instances it might amount to double taxation, and that it would be annoying. It would be a direct tax. Some argue against the sales tax, saying that it would give merchants undue warrant to increase their prices, such as was done with war taxes, but it seems that this is rather the fault of the administration, and lack of universality of the tax, than of the method itself.

In any study of the tax problem, one comes irresistibly to the conclusion that it is one of the most serious problems of government. The history of many countries of the world has been changed by the imposition of unjust taxes.

It is an economic truth that the productiveness of the tax is not the first consideration, and that a blight, contingent on the method of assessing and collecting a tax may ruin a harvest which it can not gather. And, in Rome, owing to the severe consequences of the tremendous demands, and the resulting social system, in the words of Gibbon, the historian, "the desire and possibility of accumulation languished, men produced only what would suffice to fill their immediate needs, for the government laid in wait for all their savings. Capital vanished, the souls of men were palsied, population fled from that which was called civilization, and sought concealment and relief in barbarism and with barbarians."



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(Continued from page 430)

Home-Made Electrolytic Chlorine at Sacramento. Harry N. Jenks, Supt., Pumping and Filtration Works, Sacramento, Calif. *Engineering News-Record*, Vol. 97, No. 5, July 29, 1926. pp. 170-172.

The original installation of electrolytic chlorine apparatus at the Sacramento rapidsand filter plant, proved unsatisfactory, was completely revamped, and in October, 1925, was abandoned upon the completion of a larger, home-made apparatus. The new installation comprises a direct current generating apparatus with control and switching panels, supplying six 600 amp. electrolytic cells designed by a member of the operating staff of the filtration plant. The present capacity of the plant is 228 pounds chlorine per 24 hours.

The chlorine thus produced is administered by injectors both to the raw water to neutralize tastes and odors resulting from algae growths in the river water during summer months, and to the filtered water for sterilization. Using commercial rock salt, the cost of chlorine varies from 5 to 7 cents per pound, in contrast to 12.5 cents per pound as to the average price for liquid chlorine at Sacramento. Based on the total chlorine consumption for the year 1925, the cost was approximately 12 cents per million gallons. The flexibility and ease of accurate control characteristic of this apparatus, indicates a wide field of usefulness for the "home-production" of chlorine. (Diagrams and photographs are given to illustrate this installation.)—Dana E. Kepner.

Zoning on Trial Before the U. S. Supreme Court. James Metzenbaum. *American City*, Vol. 35, No. 1, July, 1926. pp. 74-76.

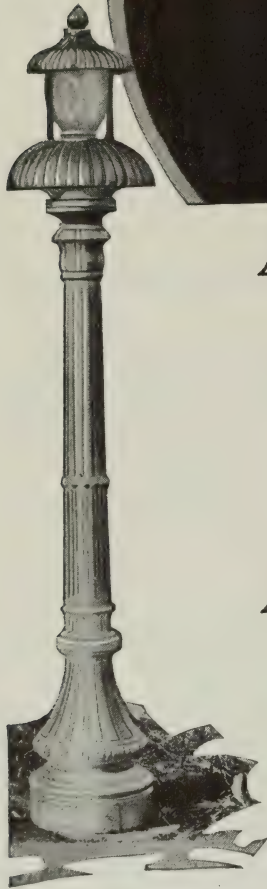
A zoning ordinance passed by the village of Euclid, Ohio, has been assailed by The Ambler Realty Company charging that such an ordinance is unconstitutional. The question as to the reasonableness of the Euclid ordinance is, in itself, of negligible importance, but a ruling concurring with the Realty Company would affect zoning ordinances all over the country. Several State Supreme Courts have passed on the validity of zoning ordinances, and at the present their opinions are equally divided. The Euclid case will be re-argued before the U. S. Supreme Court this fall.—Geo. N. McDaniel, Jr.

The Merit System in Government

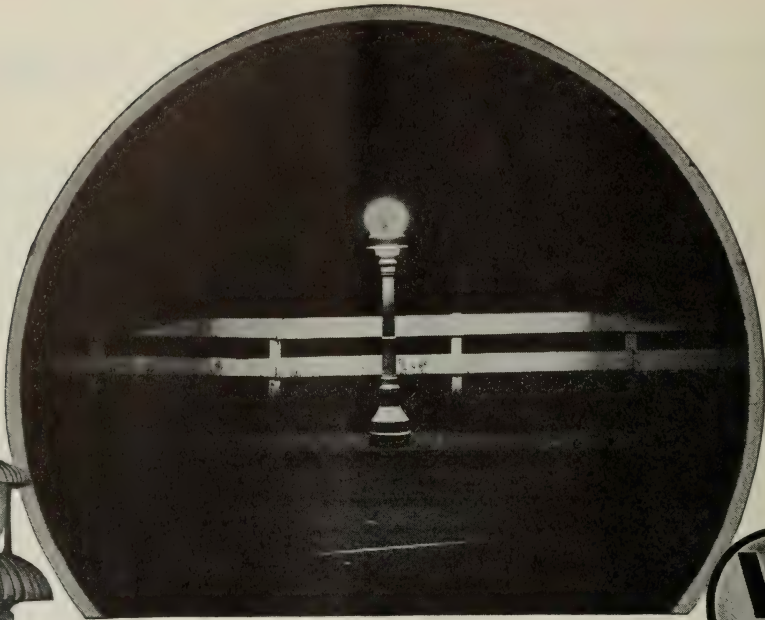
The National Municipal League has published, in book form, a report of the conference committee, which was formed largely on the initiative of Dr. W. H. Dodds, Secretary of the League and editor of the *National Municipal Review*. The book contains 170 pages, and is a clear cut statement of the question involved. The work represents the investigation and study of the committee, extending over a period of more than two years. It may be secured by writing to the National Municipal League, 261 Broadway, New York City, N. Y. The price charged is \$1.50 postpaid.

Berkeley, Cal., Installs New System of Police Signals

Berkeley, Cal., has recently installed a new system of police signals. This system, at first used on a small scale, proved so successful that it is now used throughout the city. General Electric Novalux street lighting fixtures with four-way bowl refractors of ruby glass and equipped with 200-watt lamps have been placed at the intersections of the main streets. All of the lights are flashed by means of one controller at the city hall and remain lighted until the policemen on duty report to headquarters for instructions.



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(Continued from page 436)

County, within which area are 43 municipalities—(44 including Avalon, although Los Angeles has not run a shoestring over there yet)—and is of the most vital and intimate concern to every municipality within that area. How can any municipality develop its own traffic and highway system except in relation to the basic regional plan of which that city is a part? And so the street plan for the city of El Segundo, or Monrovia, San Fernando, Whittier, or wherever else, must be developed first in its relation to the plan of the entire area. First comes the "regional problem" in dealing with all of the major thoroughfares, how wide they will have to be to meet the future demands of traffic, and the particular thing to be done in improving the particular highway. That is a situation existing wherever there is a group of communities or municipalities in proximity one to the other.

I don't know whether the City of Fresno has an official city plan. But knowing that Fresno has from time to time discussed the widening of Belmont Avenue, I wonder whether the widening of Belmont Avenue has been related to the needs of Fresno County as a whole. Probably it has. But that same sort of thing is true of every city within the state. What relation do the traffic and highway problems of a city bear to the surrounding community? The answer is found in comprehensive regional planning, which will co-ordinate the various governmental units throughout the region and enable them to study their present and future needs and to solve those problems as one big community, under one general set of plans instead of the various municipalities trying to proceed independently, encountering, as they will, the difficulties of solving their problems individually with the attending additional expense. This trouble and addi-

tional expense is avoided under the regional plan.

The effort of our Los Angeles County plan has not been to superimpose a highway plan on the municipalities of the county. Its purpose has been to conduct our general regional studies and to determine in our own minds the main principles which must be observed and then to build up that plan on the basis of the co-relation of the various cities within the territory, after they have had an opportunity to study their relationship to the general scheme in general terms. Today there is under way a series of inter-city highway conferences representing the ten cities west of the San Gabriel River and east of the City of Los Angeles—Pasadena, South Pasadena, Alhambra, Monterey Park, San Gabriel, San Marino, Sierra Madre, Monrovia, Arcadia, and El Monte. These cities are all in close proximity one to the other. In what manner may these cities each determine its basic highway plan? The answer is regional planning; and studies are proceeding on that basis. A similar study has been under way for months for the entire territory approaching the Los Angeles-Long Beach Harbor.

The same is true of our parkway plan. The little city of Lynwood, which consists of four or five thousand people, if that many, and has less than two square miles of territory, has a series of 40-foot streets. They are unfriendly streets; they won't meet one another. It is a mixed up territory, having apparently been cut out with a battle ax and a hand saw. Yet there is a convergence of major traffic thoroughfares at that point and Lynwood is undertaking the widening of its 40-foot streets to conform to our general plan, in one case involving a 200-foot parkway. The City of Lynwood itself would have no call to set such a standard for any of its streets, but when the general plan was submitted they realized the importance

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of our parkway system and that this route will give a through parkway from the coast in the City of Los Angeles, through Lynwood, out into County territory and finally beyond the County line, with its present objective in Riverside. Lynwood can see its place on that parkway and therefore will widen its 40-foot street to 200 feet to take care of it. A similar thing is true along the base of the Sierra Madre Mountains. The City of Sierra Madre of itself would have no call to try to put through a right of way 200 feet or more wide through its limits. It takes a 60-foot street part of the way, and at one place will probably follow a lane some 20 feet in width at the present time. It is because, taking further development into consideration, Sierra Madre, Monrovia, Glendora, Azusa, and the rest of the communities in that region can see their place in that great hillside parkway. It will enter the metropolitan area at the northern entrance to the San Fernando Valley and will pass into the La Crescenta Valley. From the high hill slope of this Valley, it is possible to look over Los Angeles and on to Catalina. Then it will pass through Altadena and through the San Gabriel Valley with a variety of vistas of the Valley, and of canyon and mountain scenery, following its 40 mile course to the east County line. With such a vision the cities along the route can feel inspired of the necessity of doing their respective parts to consummate the entire program for this parkway; and so regional planning points the way, in a practical way, for the promotion of this project from the regional standpoint.

One municipality may set aside local parks of from five to a hundred acres, but no one municipality can accomplish or determine the need of accomplishing a program which would call for a park of 900 acres, and such a program is being outlined in our own County, or for the parking of several thousand acres, and

such a program may be under way in the eastern part of the County. But on the basis of the needs of a region, as they have been outlined in the regional plan, each city may determine its own relation thereto and lay out its own plan of development to conform to the city's relation to the entire project. The joint financing of these various projects is now possible through the instrumentality of the Mattoon Act. A group of municipalities may form one assessment district for the putting through of some major project of interest to all of them. That is the way these various parkway plans will be carried out. Long Beach Boulevard passes through ten successive jurisdictions. Civic groups have been working about four years in trying to get that thoroughfare widened to 100 feet with adequate pavement. Two and a half miles of it are done and another section will be completed in a couple of more years, and the balance of several miles later. West of Long Beach Boulevard, within half a mile most of the way, will be carried through another major thoroughfare which will pass through Huntington Park, then into the County, then into South Gate, then into the County, then into Lynwood, then into the County, then into Compton, then into Long Beach, then into the County, and then into Long Beach. Yet this is being outlined as one project with one assessment district, and the thing will be done within a year and a half.

And so the carrying out of the regional program on the basis of enabling legislation which makes possible the embodiment of the regional idea enables each city to take its particular and equitable part in the financing of regional projects of general interest.

The transportation plan of a region likewise has a distinct relation to each city within it. Such a regional harbor, for instance, as in our own County, will

Are Your Pavements Outliving Their Bond Issues?



Woodland, Calif.—East Street. Asphaltic concrete pavement; 4" base, 2" surface (Warren type). Laid in 1916. In excellent condition after 10 years of service. No upkeep costs.



Ukiah, Calif.—State Street. Asphaltic concrete pavement; 3" base, 1" surface. Laid in 1912. In excellent condition after 14 years of service. No upkeep costs.



Oroville, Calif.—Robinson Street. Asphaltic concrete pavement; 2½" base, 1½" surface (Warren type). Laid in 1914. In excellent condition after 12 years of service. No upkeep costs.

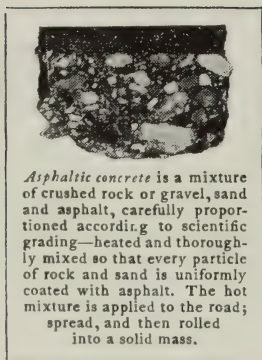
Here are illustrations of three asphaltic concrete pavements that outlived their bond issues. These pavements have *now* given over ten years of service, *without a cent of upkeep cost*—and, they are all *still* in excellent condition.

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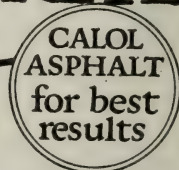
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be a direct benefit to two municipalities and of interest to the entire County. The Orange County harbor is very distinctly a County proposition. Many of the other harbors of the state in their relation to the surrounding territory can be considered only on the basis of a regional transportation plan. Our regional transportation plan for Los Angeles looks far beyond the mountains, and the traffic routes will tie in to the entire southwest with the Harbor. And we haven't forgotten our friends in Orange County, because we have been projecting highways to serve the cities and the Harbor of Orange County.

The regional problem is present in dealing with rail grade crossings. We are planning for future grade crossings separations on our main thoroughfares. In the execution of such a plan, the financing can be handled only on the regional planning basis. The Los Angeles County Supervisors, about a month ago, at the request of our Commission, instructed that in the acquisition of rights of way for major thoroughfares sufficient rights of way be secured at all rail crossings and at all major highway intersections to provide for future separation of grades, realizing that at the intersection of 100-foot thoroughfares, under traffic conditions of the future, it will some day be necessary to carry one highway under or over the other. Additional right of way is necessary because a grade separation between highways will result in heavy property damage in case the right of way width is 100 feet or less. From 40 to 46 feet should be provided for the structure. There should be 27 feet of surface roadway on each side of the structure in order to care for one parked and two moving vehicles. The sidewalk space is in addition to this. The result is that a width of 120 to 130 feet is required for the distance directly affected by the separation. Unless provision is made for this at the

time the street is laid out or at such time as acquisition and improvement proceedings are under way, adjacent property values are established and increased to the point of making the operation either impossible or heavily expensive at a later date. The action of the Los Angeles County Board of Supervisors in this matter is the only comprehensive move of that nature which I know of anywhere in the country, and it has already been received in various parts of the country with considerable interest.

The economic aspects of regional planning undertaken in time are profound. A contrast between the Los Angeles City and the Los Angeles County work indicates this. Of the ultimate \$300,000,000 program under the Los Angeles Major Traffic Street Plan, projects involving approximately \$50,000,000 are under way under the first unit and related projects. Mr. Whitnall states that this \$50,000,000 will buy about 25 miles of street and highway right of way. The cost of doing the job after development has taken place is, therefore, \$2,000,000 per mile. The contrast of doing the thing before development takes place is indicated by the program of proceedings under County jurisdiction. The 500 miles of opening, widening, and improvement now in the project stage will probably cost less than \$100,000,000, or less than one-tenth of the per unit cost of the Los Angeles City plan. The cost of the County program based upon the per unit expense within the City of Los Angeles would make it utterly impossible of accomplishment. A city which can look at its problems from the standpoint of city planning has reached a very important point in its municipal progress. The greatest progress, however, will be made in the field of regional planning with generally greater opportunities.

No city is too small to undertake city planning. The Mayor of El Segundo



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stated at one of the meetings of the Association of City Planners that when El Segundo got big enough, she would have a city planning commission. It may be said in reply that when that time comes many of the opportunities now available will be gone. The most ideal opportunity for city planning in Los Angeles County is in the case of the City of West Covina, which contains not one subdivided lot, nor one business structure. It is solely an agricultural community. Thus with a blank page at hand, there exists the opportunity for laying out a fundamental plan. No move in that direction has as yet been undertaken, but I believe that the Board of Trustees of the City of West Covina may be led to grasp the opportunity.

One of the regional activities requiring particular attention at this time is the provision of terminal facilities for air transportation. As motor vehicle transportation has developed from practically nothing to a dominant place in our entire mode of living in a quarter of a century, so air transportation must be expected to assume an increasingly important part in our national and community life. Skepticism has given way to tolerance, and mere tolerance to increasing use as we find that we are depending more and more upon air transportation. The Pacific Coast, which is the farthest from the center of population of the nation, and at the same time is the focus of interest of a vast empire of great distances of its own, must depend increasingly upon air transportation. We frequently use the airplane in our regional planning work, both for planning studies and to get somewhere in a hurry. Adequate attention has not been given to the matter of air terminals, although several cities have municipal airports. Others are sitting by while available areas are being subdivided and otherwise removed from availability. Our regional plan

in co-operation with other agencies is endeavoring to point the way in this matter, emphasizing first the urgency of the situation and then the elements of an actual plan itself.

There are many other points of contact between regional planning and the problems of individual cities. Let me call your attention, however, to but one other, which may be said to be based upon the functional relationships within the region. An illustration may be given within the field of zoning. In Los Angeles County, we are developing our zoning plans in detail for small communities because we exist in the two-fold capacity of a regional organization dealing with general problems and of the planning body for the detail problems of the unincorporated communities of the County; but, beyond that detail work, there must be a conception of the regional zoning problem of the entire territory. Here may be a section where the dominant influences should be industrial; it may affect the individual problems of several municipalities; yet, as a whole, has a definite relationship to the entire region. Here may be another great area where the dominating type of development shall be high grade residential, or it may be the housing of industrial workers. No one city which may exist in whole or in part within any of these belts of predominating influences can determine the entire problem. The scope of study must cover the entire region, and upon that basis be related to the problem of the individual municipality. While we have been working out our detailed zoning studies in the individual unincorporated community, we are at the same time conducting regional zoning studies which shall determine the present and potential uses of the various areas within our region.

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matter of great importance to the State of California. Our period of greatest development lies ahead, and provision must be made for its orderliness and for its social and economic integrity. This can be well done only upon the basis of sound planning. The importance of this may be realized when it is known that in the area tributary to the population centers of the State of California, and by that I mean the Pacific Southwest and the Pacific Northwest, there exist over 85% of all the crude materials necessary for the manufacture of all finished products made in the United States, and that around the shores of the Pacific exists three-fourths of the potential purchasing power of the globe.

If the cities comprising this area of great opportunity are to receive full benefit from these facts, there must be complete co-ordination on the part of each group of communities. In no other way can adequate provision be made for expansion to meet the needs of fifty years hence. I am not suggesting means to this end—whether by voluntary association of the cities, whether by county movements, inter-county activities, or by other means provided by specific legislative authority through enabling acts of the state legislature; that is a matter for those who are officially determining that phase of the problem, but I believe that sound social and economic development of California depends upon an adequate conception of the regional relationship of its population centers and the working out of the individual problems of the municipalities in each region based upon that regional relationship. Thus, regional planning is beneficial to the cities. (Applause.)

MR. WRIGHT (Presiding): Very fine, Mr. Pomeroy. We got a great deal out of your talk, I am sure. If there are any members of the Convention who wish to ask Mr. Pomeroy any questions, I

am sure he will be glad to answer them at this time.

MR. CARROLL (Alhambra): There is one question I would like to ask, and that is, What is the minimum acreage that would be required for a reasonable sized airport?

MR. POMEROY (Los Angeles): There are different types of designs for airports. There is the "I" shaped field and the "L" shaped field, to be set in the directions of the prevailing winds. Then there is the square type of field. The acreages required will vary. You ought to have from 125 to 640 acres for a good airport, although emergency landing fields may be provided of smaller acreage. I prepared an article for the June Number of "Western Flying" setting forth the airport problems of Los Angeles County, and in that same number of the magazine is an article giving the dimensions and the equipment necessary for an ideal landing field. I will be glad to send you a copy of it, or to anyone who will give his name to the Chairman. The magazine also gives sketches of types of airports.

MR. CARROLL (Alhambra): I think it would be wise for me to send for it.

MR. POMEROY (Los Angeles): Another question sometimes asked is, can airports be made part of the general parking plan, putting the airport in the center and parking around the sides. I think that, generally speaking, any large public open space is desirable for social and health reasons. Blank open spaces should be screened by adequate planting. We have had recent discussions as to the effect of school grounds upon surrounding property. Frequently they have an adverse effect. Why? Because of the bare open spaces. We are coming more and more to realize that a school site should have as part of its whole area enough ground for the planting of trees and shrubs in a marginal planting strip from

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40 to 60 feet wide. And I think the same is true in the case of any large open space which, by reason of its blankness (an airport for instance), might be detrimental to the surrounding neighborhood. Care should be taken in the planting to have full regard for safe landing, using suitable trees. Avoid any high tension lines which might interfere in landing.

MR. CARROLL (Alhambra): If I may be permitted, I have another question now, in rebuttal, as it were, although I am a novice when it comes to court terms. Will Los Angeles County, or those who are working on these studies looking to our future, can they see the time coming when the consolidation of city and county government will be necessary? My question is, What is the Regional Planning Commission planning on the future? Is it planning on the consolidation of cities in Los Angeles County with the city and county government of Los Angeles?

MR. POMEROY (Los Angeles): The Regional Planning Commission is not concerned with political boundary lines, not in any sense. No regional plan is. Our sole existence is in relation to the composite problems which confront the whole region. Except for the purposes of administration in connection with the working out of the regional plan, we are not concerned with political boundary lines. I do not agree with your assumption that consolidation of city and county governments is necessary to complete the program in Los Angeles County. We may be, you might say, consolidated in one way, yes, but in another we are individual. Each individual town may assign certain general functions to a regional administrative body. That has been done in problems of food control and sanitation, and I think it will come in the financing of our highway system and also for our regional recreation system. I personally am inclined to the metropolitan

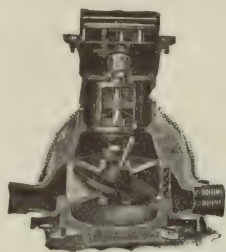
district rather than consolidation, which might result in topheavy municipal machinery. I am giving that to you not as a conclusion but as one means of solution of the problem.

MR. TOWER (Carmel): I would like to ask you, Mr. Pomeroy, if there are any legal bulwarks preventing a municipality from acquiring land for a municipal airport.

MR. POMEROY (Los Angeles): Not that I know of. That might be better answered, however, by the City Attorneys section. I am hoping Mr. Mattoon doesn't hear me and veto my idea of the possibility of the Mattoon Act along this line. The Mattoon Act should make it possible for a municipality to acquire land for airport purposes. After outlining the various types of rights of way, such as streets, parks, playgrounds, which may be acquired under the Mattoon Act, there is a statement which says "or any public rights of way or rights of way or lands of the public." (I believe it is some such general wording.) I believe that would make the Mattoon Act available, although I see Mr. Mattoon back there in the corner, and he can enlighten us as to that point. It is a matter which you might take up with your city attorney.

MR. WRIGHT (Presiding): Are there any other questions to be propounded to the speaker on this topic? If not I will ask if Mr. Richards of Los Angeles has arrived and is in the house.

MR. MATTOON (Los Angeles): I am afraid Mr. Richards has a misunderstanding as to this appointment. We discussed in committee this telephone rate situation all Friday afternoon and went all over the problem, and at that time I happened to be telephoning up here for reservations and he knew what I was talking about and apparently was entirely oblivious of his place on the program. I am very sure he would be here if he had



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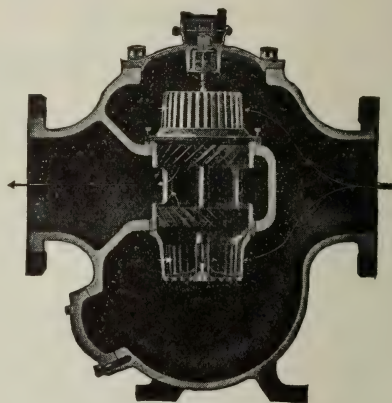
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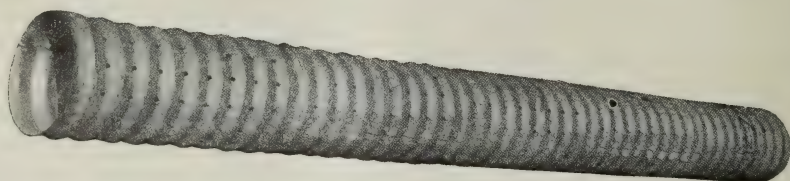
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known of it, because he is thoroughly conversant with the subject. He made a trip through the east studying the subject from many angles. He is a man of means who does not have to devote all of his time to efforts for his personal welfare, and I am sure he would take very great interest in presenting the subject, if he had definitely known of the engagement.

MR. LOCKE (Executive Secretary): I understood just before leaving San Fran-

cisco that he would be here. I don't know just the source of your information.

MR. MASON (San Francisco): May I interrupt for just a moment to make this announcement. The members of the traffic committee will have a meeting at noon today in that corner (indicating) of the room. At two o'clock Supervisor Todd of San Francisco will address the meeting and speak on Traffic Control. There will also be other matters for discussion. I thank you.

Commerce Department Publishes Revised Editions of "A Zoning Primer" and "A Standard State Zoning Enabling Act."

Revised editions of "A Zoning Primer" and "A Standard State Zoning Enabling Act, under which municipalities may adopt zoning regulations," are announced by the Division of Building and Housing of the Department of Commerce. These publications, both by the Advisory Committee on Zoning, appointed by Secretary Hoover, rank among the most popular pamphlets issued by the Department, more than 50,000 copies of each having been sold by the Superintendent of Documents.

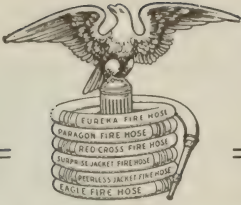
The "Primer" explains in popular style the methods by which zoning protects property and health and avoids unnecessary scrapping of serviceable buildings. It was first issued in 1922. Since that date the number of zoned municipalities in the United States has increased from less than a hundred to more than 450, and the constitutional status of zoning has been upheld in thoroughgoing decisions of the highest courts of such states as New York, Massachusetts, Ohio, Illinois and California. There has been a wealth of added experience in the application of zoning to the most varied problems in many types of cities and villages. The revised edition takes into account the development of the past four

and a half years, and includes a list of zoned municipalities by states.

"A Standard State Zoning Enabling Act" has been embodied in the laws of 20 states since it was first issued in preliminary form three years ago. Court decisions on cases arising under it have been studied with the greatest care, and the only change made in the text is in the section on "Enforcement and Remedies," where the other means of securing compliance with zoning ordinances are strengthened by adding the following:

"The local legislative body may provide by ordinance for the enforcement of this act and of any ordinance or regulation made thereunder. A violation of this act or of such ordinance or regulation is hereby declared to be a misdemeanor, and such local legislative body may provide for the punishment thereof by fine or imprisonment or both. It is also empowered to provide civil penalties for such violation."

Some of the introductory statements have been revised, and, in response to requests, a new foot-note has been drafted on the subject of empowering communities to exercise zoning control over areas which are adjacent to the



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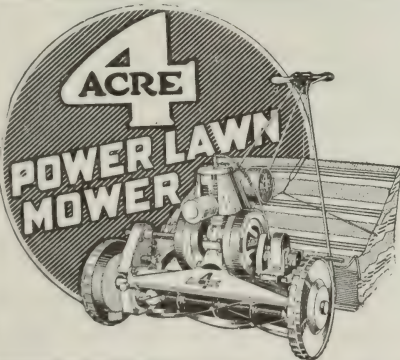
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(Continued from page 440)

tive committeemen for three-year terms; and J. Barf, Victoria, British Columbia, as executive committeeman for the one-year term created by the election of S. P. Koch as vice-president.

HONORARY MEMBERS

The distinction of being elected honorary members for special and meritorious service was conferred upon A. C. Horner, former secretary-treasurer of the Conference; Robert L. Proctor of Seattle, retiring President of the Conference; and R. G. Kimbell of Washington, D. C.

A high light of the day was the presentation of a request from the Florida Building Officials Conference for copies of the Final Preliminary Draft of the Uniform Building Code. The Florida conference, organized after the example and pattern of the Pacific Coast organization, is attempting to prepare a uniform code, and asks the aid of the previous investigations and deliberations of the Pacific Coast body.

RESOLUTIONS PASSED

Among the more important resolutions passed were documents for the following purposes: to express sympathy to the Florida hurricane disaster sufferers; to extend sympathy to the bereaved family of the late E. E. Grow, former Building Inspector of Richmond, Cal.; to thank the city of San Jose and assisting host bodies for hospitality; to thank the California Development Association for past aid and future pledges; to thank the retiring president, Robert L. Proctor, for his faithful service; to thank the Portland Cement Association for conference publicity; to thank Lick Observatory for courtesies; to thank A. C. Horner for his work on the Uniform Code.

COMMITTEE REPORTS

The report of the auditing committee was read and accepted. The report of

the executive committee was accepted as read by H. E. Plummer, Portland Superintendent of Building.

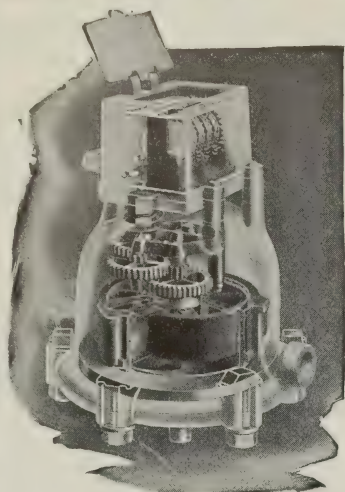
Amendments to the by-laws were passed, and rules governing classification of memberships were altered, and other changes vital to increased efficiency of operation of the conference were made.

The final executive committee session Thursday afternoon outlined the plan of procedure for the coming year.

ACTIVE PARTICIPANTS

Among those taking active part in the Conference were: A. C. Horner, Portland Cement Association, Los Angeles; N. T. Sturtevant, deputy Building Inspector, Oakland; J. Barf, Building Inspector, Victoria, B. C.; A. J. Hurley, Building and Electrical Inspector, Richmond; H. C. Weisenburger, Building Inspector, Watsonville; H. B. Arnold, Jr., National Lime Association, San Francisco; R. F. Becker, Building Inspector, San Rafael; J. Losekann, Building Inspector, Stockton; R. F. Kimball, National Lumber Manufacturers' Association, Washington, D. C.; R. F. Hammatt, Manager, California Redwood Association, San Francisco; A. Bevan, Assistant Manager, Red Cedar Shingle Bureau, Seattle; C. L. Baker, Building Inspector, Modesto; J. G. Horne, Building Inspector, Tacoma, Wash.; H. E. Plummer, Building Inspector, Portland; W. S. Decker, Building Inspector, Santa Ana; C. E. Jenkins, Building Inspector, Alhambra, Cal.; S. P. Koch, Chief Building Inspector, Berkeley, Cal.; A. E. Andrews, Engineer, National Board of Fire Underwriters, San Francisco; L. N. Nishkian, Structural Engineer, San Francisco; Robert Johnston, District Manager, Associated Metal Lath Manufacturers' Association, San Francisco; A. P. Denton, District Engineer, Portland Cement Association, San Francisco; A. J. Evers, Secretary of the Northern District of the Cali-

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fornia State Board of Architecture, San Francisco; R. W. Kearney, Executive Director of the State Commission of Immigration and Housing, State Building, San Francisco; Ralph Wyckoff, Architect, San Jose; C. W. Northrup, 104 S. Carondelet St., Los Angeles; Carol Aronovici, City Planning Consultant, San Francisco; R. C. Buell, Portland Cement Association, San Francisco; W. L. Bryson, Celotex Co., San Francisco; H. R. Kingsley, Chicago; Vern D. Hedden, Structural Engineer, Long Beach and Santa Barbara; C. E. Keas, Economy Products Corp., Los Angeles; L. I. Pope, Building Inspector, Santa Barbara; H. A. Postlethwaite, chairman of the Building Code Committee of the League of California Municipalities, Oakland; William J. Locke, Executive Secretary of the League of California Municipalities, Alameda; M. E. Armstrong, Building Inspector, Redlands; R. W. Tempest, Common Brick Manufacturers' Association, Los Angeles; C. W. Boynton, Los Angeles Cement Gun Co., Los Angeles; S. F. Butler, Building Inspector, Salinas, Cal.; Robert Greig, Director of the State Housing and Immigration Commission, San Francisco; J. G. Holder, Paraffin Company, San Francisco; Joseph T. Brooks, City Councilman, San Jose; Robert L. Proctor, Conference President, Seattle, Wash.; M. C. Woodruff, Building Inspector, San Jose; Frank B. Marriott, Building Contractors' Association of Santa Clara County, San Jose; Frank Calahan, Coast Electric Co., San Jose; W. Howe, Secretary San Jose Builders' Exchange, San Jose; J. E. Mackie, Secretary-treasurer of the Conference, and City Building Inspector, Long Beach; George R. Olshausen, Architectural Engineer with the City of Oakland; G. D. Ross, City Engineer, Aberdeen, Wash.;

James Anton, Building Inspector, Fresno, Cal.; W. R. Williams, Fire Marshal, Fresno; F. C. Davis, c/o Gladding, McBean & Co., San Francisco; M. C. Poulson, structural engineer, Fresno; N. G. Hansen, Building Inspector, San Bernardino, Cal.; Oscar G. Knecht, Building Inspector, San Diego; F. L. McGrew, Building Inspector, Idaho Falls, Idaho; Mrs. J. E. Fraser, Secretary California Retail Lumbermen's Association, San Francisco; E. W. Cunningham, Consulting Engineer, Los Angeles; W. L. Scott, Building Inspector, Burlingame; W. J. Haword, Secretary Pacific Northwest Brick Manufacturers' Association, Seattle; A. D. Pilgrim, National Awning and Tent Association, St. Paul, Minn.; W. H. McLean, Pacific Coast Gas Association, San Jose; E. W. Bacon, Building Inspector, Phoenix, Ariz.; R. H. Hubbard, Building Inspector, Bakersfield; H. C. Vandewater, Superintendent of Buildings, Glendale, Cal.; Perry E. Jones, Plastoid Products Co., Los Angeles; W. H. Griswold, Plastoid Products Co., San Francisco; C. Stowell Smith, California White and Sugar Pine Association, San Francisco; H. A. Holtgen, Utah Lime and Stone Co., Salt Lake City, Utah; George Finney, Secretary, Gas Furnace Association, Los Angeles; Bert Scott, Scott Heating Co., Los Angeles; J. L. Donnelly, California Brick Co., San Jose; S. S. Gorman, Board of Fire Underwriters of the Pacific, San Francisco; William Moser, Architect, San Francisco; J. S. Dean, city architect, Sacramento; C. J. Hogue, West Coast Lumber Trade Extension Bureau, Seattle; A. S. Tiedeman, General Fireproofing Co., San Francisco; N. P. Wright, Berger Manufacturing Co., San Francisco; P. W. Chrouch, California Reinforcing Steel Institute, San Francisco; William H. Bissell, Wickwire Spencer Steel Co., San Francisco.

(Continued from page 463)

city's limits but do not lie within any other incorporated city or village.

"A Zoning Primer" records that "on January 1, 1926, the 426 zoned municipalities in the United States had a total of more than 27,000,000 inhabitants, exceeding half the total urban population of the United States. Thus a majority of all people living in incorporated places with 2,500 or more people now enjoy the protection and other benefits of zoning. On January 1, 1921, there were only 35 zoned cities and towns, with less than 11,000,000 population, so that in a period of five years the number of zoned municipalities increased more than twelvefold.

"Undoubtedly the most convincing statement which could be made in regard to the value of zoning is that so many of the large cities of the United States now feel that it is impossible to continue to develop further without the adoption of a building zone plan. New York, Chicago, Boston, Baltimore, Pittsburg, Los Angeles, Buffalo, and San Francisco head the list of the large cities that already have zoning ordinances in operation.

On January 1, 1926, 48 of the 68 largest cities in the United States, having in 1920 a population of more than 100,000 each, had adopted zoning ordinances, while most of the others had zoning plans in progress. Moreover, it is not alone our larger cities which realize the necessity for timely regulation of the uses of property. Hundreds of the smaller cities and towns, especially in California, Illinois, Massachusetts, New Jersey, New York, Ohio, Pennsylvania, Wisconsin, but also in many other states, have passed zoning ordinances and hundreds more were reported as having zoning plans in progress."

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Entered as second-class matter March 22, 1913, at the Post Office at San Francisco, California, under the Act of March 3, 1879.

VOL. XL

TWENTY-EIGHTH YEAR

No. 12

Editors.....H. A. Mason and Wm. J. Locke
Business and Advertising Manager.....H. A. Postlethwaite
Editorial and Business Office.....707-721 Chancery Building, San Francisco

Advertising Rates on Application
Address all Communications to "PACIFIC MUNICIPALITIES," Chancery Bldg., San Francisco, California

December, 1926

A. Carlisle & Co., Printers, San Francisco

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Organized 1897

Affiliated with the Bureau of Municipal Reference, University of California

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The League of California Municipalities maintains in connection with the Secretary's Office, a Bureau for furnishing city and town officials with information on municipal affairs, and loaning copies of new ordinances and specifications. Officials are urged to make a free use of this Bureau. Kindly send a self-addressed stamped envelope in all cases.

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Meeting of the California Municipal Traffic League at Fresno

The first annual convention of the California Municipal Traffic League was held at Fresno, California, on November 18th and 19th, 1926. The meeting was called to order in the assembly hall of the San Joaquin Light and Power Company shortly after ten a. m. on the morning of November 18, 1926, Hon. C. F. Todd, Chairman of the traffic committee of the San Francisco Board of Supervisors, presiding. Wm. J. Locke of the League of California Municipalities and city attorney of Alameda, served as temporary secretary of the meeting. Chairman Todd explained that the meeting was called in pursuance of the order of adjournment of a former meeting held several months previously in San Francisco, and that the object of the organization was to endeavor to have a uniform ordinance adopted by the cities of California covering traffic regulations which are not already provided for in the Motor Vehicle Act. He stated that the consensus of opinion appeared to favor the adoption of the uniform traffic ordinance which had been prepared by Dr. Miller McClintock and put into effect by the city of Los Angeles. The question before the conference was to determine whether or not the ordinance should be adopted as submitted or whether certain modifications were desirable.

A telegram was read from Capt. Frank Erwin of Portland, Ore., regretting his inability to attend the conference but expressing his sympathy with the movement and the hope that definite results would be accomplished. Another telegram was received and read from W. H. Marsh of Sacramento expressing his sympathy as an officer of the motor vehicle department.

In addition to the foregoing telegrams the following communications were read and submitted.

A letter from C. R. Perrier, City Attorney of Gustine, stating that he had submitted the proposed ordinance to his board of trustees and advised its adoption.

A letter from Clarence P. Taylor, traffic officer of Berkeley, stating he would not be able to attend the convention but would like a copy of the minutes of the meeting.

A letter from J. L. Pritchard, M. D., president of the Board of Trustees of Santa Clara, saying his board was in sympathy with the movement and desired to be kept informed of its progress.

A letter from Walter J. Balaam, city clerk of Redondo Beach, stating that the board of trustees would not be able to be represented, but wished to be recorded as favoring the ordinance.

A letter from Mayor Christie of Emeryville, expressing approval of organization.

A letter from E. C. Porter, secretary-manager of the Sacramento Chamber of Commerce, urging the league to hold its 1927 convention in Sacramento and setting forth the advantages of that city as a meeting place. Another letter to the same tenor and effect was received from L. W. Hayes, convention manager of the Sacramento Chamber of Commerce; also a similar letter from H. C. Bottorff, City Manager of Sacramento.

A letter from Ray L. Morrow, City Attorney of Glendale, enclosing copy of a resolution recently passed by the city council of Glendale approving the proposed ordinance.

Also a letter from the office of Hon. Bertha K. Landes, mayor of Seattle, saying that on account of the mayor's absence it would not be possible to send a delegate to the convention.

A letter from Ontario authorizing Wm. J. Locke to cast the vote of that city in favor of the proposed ordinance.

Chairman Todd then introduced Mr. Tudor of the California State Automobile Association to explain the various provisions of the model ordinance. The chairman called attention to the fact that the proposed model ordinance, printed copies of which were submitted to the delegates, had been approved by both of the automobile associations of the state. Mr. Tudor briefly explained the provisions of the ordinance, after which he was followed by Mr. Sandford, attorney for the California State Automobile Association, who supplemented Mr. Todd's address.

At this juncture Mayor Sunderland of Fresno entered the convention hall and was introduced by the presiding officer. In appropriate words he welcomed the delegates and expressed his sympathy with the objects and purposes of the league.

Supervisor Gallagher of San Francisco and others then questioned Captain Heath of Los Angeles regarding the operation of the Los Angeles traffic ordinance.

Supervisor Gallagher then suggested the appointment of a committee on By-Laws and Order of Business, and a motion to that effect being made and carried, President Todd appointed a committee on By-Laws consisting of Messrs. Gallagher (Chairman), Harder, Gardner, Rostrom and Heath.

Supervisor Bath of San Francisco then moved the appointment of a Law and Legislation committee. The motion was duly seconded and carried, whereupon the Chair appointed the following committee: Messrs. Bath, Davis, Sandford, Hall, Locke, Butts and Perrier.

Secretary Locke said that, in his opinion, the most important function of the convention was to make a careful examination of the proposed ordinance with the idea of determining whether any modifications or amendments were desirable. He stated that he had examined the proposed ordinance carefully and, while in the main it was quite satisfactory, he had a few amendments to suggest which he thought were quite important. Messrs. Hickok, Rostrom and Schmidt commented on the proposed ordinance in a general way. It was arranged that the committee on Law and Legislation should meet in Room 600 of the Hotel Fresno at 6.30 p. m. to consider any amendments that might be offered to the ordinance.

A motion was then made that the secretary be instructed to send a telegram to Captain Gleason, who was confined in Stanford Hospital, San Francisco, on behalf of the convention, expressing the hope for his speedy recovery.

The convention then took a recess until 2.30 p. m.

On reconvening, Supervisor Bath spoke of the observations he had made respecting the handling of traffic on a recent eastern trip, referring especially to Detroit and Chicago. He explained the system of making arrests for minor infractions of traffic regulations, especially in regard to what is known as the scrip system. He was followed by Messrs. Hickok, Schmidt, Rostron and Harder.

Mr. Harder called attention to the fact that under the present law provision was made for the examination of applicants for operators' licenses; and a great many applicants are being examined continually.

Mr. Perrier thought the scrip system presented advantages. He was followed by a delegate from Selma who spoke in the same strain.

Chief Koenig of Sacramento next addressed the convention on the subject of headlights and told of the practice in the capital city.

The President was then authorized to appoint a special committee to consider the question of establishing a Traffic Fines Bureau such as they have in some of the eastern cities, also in Los Angeles. The following delegates were then named as a special committee on that matter, with instructions to make an investigation and report to the convention as early as possible Friday morning: Messrs. Hogan, Henry, Green, Hemphill and Sneathen.

Chairman Hogan announced that the committee would meet in Room 426 of the Hotel Fresno immediately upon adjournment of the afternoon session. General remarks were then made by Supervisor Shannon of San Francisco, followed by W. P. Hogan, City Engineer of Stockton. Mr. Hemphill of Oakland also addressed the meeting.

Major Green of Berkeley was then called upon to explain the operation of the semaphore system in connection with the Berkeley schools. He said it was working and quite satisfactorily. The semaphores are operated by the larger school boys. Major Hickok, City Manager of Alameda, explained that the semaphore system was about to be installed in the Alameda schools.

The question of compulsory public liability insurance was next taken up. Supervisor Schmidt told of his efforts to secure the passage of a law requiring such insurance when he was a member of the legislature. Upon motion, a committee on the question was appointed by the Chair with instructions to report in the morning. The committee consisted of Messrs. Schmidt, Hemphill, Hickok Koenig and Wescott, and a meeting was called to assemble in Room 626 of the Hotel Fresno immediately upon adjournment of the afternoon session of the league.

The meeting then adjourned.

MINUTES OF THE MEETING

FRIDAY MORNING

10 A. M.

The meeting was called to order by the President pro tem, Supervisor Todd of San Francisco, who introduced J. M. Buswell, General Inspector of the San Joaquin Light and Power Co. Mr. Buswell spoke as follows:

"Will you let me tell you how the engineers look upon the traffic problem, after assisting in the investigation of it by Mr. Herbert Hoover's committee last year?

"You see, Mr. Hoover is an engineer, a technically trained engineer. And he asked the engineers to assist in this as well as a few others of those he proposed for the establishment of uniform standards and elimination of waste.

"Your uniform traffic code is one of the standards in mind.

"The waste to be eliminated is of two classes—waste by accident-casualty—and waste represented by gasoline consumed, men's time lost and investment idle due to unnecessarily restricted and congested and halted traffic.

"Traffic rules are generally to eliminate hazards and are generally restrictive.

"If they restrict traffic they restrict business as well as pleasure.

"The traffic demands of business, commerce and industry, as well as recreation, are ever increasing and must be accommodated and dispatched with less restrictions if we are to keep pace or if we are to get the help of the traveling public in observing traffic rules.

"This principle seems to be recognized in large eastern centers where the problem is regarded as one of getting a heavy traffic *through*, but through safely.

"Saturday and Sunday the police will be busy handling a heavy recreation traffic, superimposed on a business and industry traffic around the bay, due to 'the big game.'

"What will we do? Slow it all down to a 'safe speed' or provide lanes and arteries and restrict the *interference* with them so that reasonably rapid transit will be facilitated?

"We agree that a uniform code is a proper and desirable and even necessary thing.

"I believe absolutely in the law in one of our eastern states where a motorist who once has an accident must file a bond, deposit collateral or otherwise insure his ability to pay for his future accidents.

"This compulsory insurance by everyone who drives might be better; I would prefer it; it would make the insurance I now pay for cheaper.

"But at least the law should require it when a driver has had an accident once. It will make more difference than any other regulation. That has been proven a fact.

"In this and other ways one must prove and insure his ability and purpose to always drive safely, not only on a deserted side-road, but in heavy, rapid traffic, and in the mountains and on the highways.

"Enforce observance of pedestrian lanes or crossings by pedestrians as well as by motorists.

"In Erie, Portland, Providence and other cities, over 75% of the fatal cases involved pedestrians, many of them children, and yet other cities, and Los Angeles is one, have very favorable experiences, especially as to children; because of enforcement of pedestrian traffic rules which are a necessary part of a scheme of speeding up traffic safely.

"Having provided safe pedestrian lanes, now, the next thing is to provide for through and rather rapid transit on avenues that will divert traffic away from congested sections or avenues.

"Van Ness Avenue all the way through this city, including the congested area down-town, would be less used and less congested, therefore, during busy hours, if there were another avenue of encouraged rapid transit.

"My next thought is that when the street of boulevard is not wide enough to allow this sort of traffic safely in both directions then set one aside for traffic in one direction and another for traffic the other way.

"These need not always be next or even close to each other. In fact often they should not be.

"For instance, can you picture the result if all traffic to and through the city here, from the north, came in Van Ness and returned out Coast.

"And if all in-bound traffic from the south came in on Coast or 'H' Street and southbound or returning traffic went south on Van Ness.

"The engineer eliminates whirls, eddies and friction, provides normal paths of least resistance, in order to eliminate waste."

Upon conclusion of Mr. Buswell's address, the Chair introduced Dr. Miller McClintock, Director of the Erskine Bureau of Street Traffic Research in Harvard University, and Consulting Traffic Engineer for San Francisco, Los Angeles and Chicago. Dr. McClintock is the author of the simplified traffic ordinance now in effect in Los Angeles, and he briefly discussed the various provisions of that ordinance and the reasons which prompted their incorporation. Upon conclusion of Dr. McClintock's address questions were asked and comments were made upon different provisions of the ordinance by the various delegates present. Supervisor Schmidt thought it would be an improvement of the penal provision of the ordinance if a scale of uniform fines could be established, urging minimum fines for minor infractions. Secretary Locke and Supervisor Gallagher indorsed the suggestions of Supervisor Schmidt and urged their adoption. Supervisor Gallagher asked if it would not be desirable to give a liberal interpretation to the word "stop" in relation to boulevard stop signs, and suggested that if an operator slowed down to such an extent that he would have to go into low gear, it might be well to consider that a sufficient compliance instead of requiring a dead stop. Considerable discussion followed in which Dr. McClintock participated. It appeared to be the consensus of opinion that such a construction would be difficult and probably impracticable. However, there seemed to be a sentiment in favor of having traffic officers use discretion and be guided by the circumstances of each particular case.

The Chair next introduced Mr. E. M. Boland of the California Development Association, who assured the league of his indorsement and support.

Following Mr. Boland, the Chair called for the report of the committee on

Law and Legislation, whereupon Mr. Davis, who had acted as secretary of the committee, submitted the following report, which was read by the secretary.

MUNICIPAL TRAFFIC LEAGUE OF CALIFORNIA

Report of Committee on Law and Legislation

Following its meeting on Thursday evening November 18th, 1926, the Committee members present were: Supervisor Bath, Councilman Hall, Messrs. Locke, Davis, Sanford, Perrier and Butts.

The committee recommended that the following changes be made in the draft of the Uniform Traffic Ordinance.

Section 1. After the definition of Roadway, include the following definition of "Alley." "A Public Highway which does not exceed 20 feet between property lines."

Section 3. It was recommended that a special committee prepare specifications of the various types and desirable locations of signs called for in the Ordinance which specifications should be included as a supplement to the Traffic Ordinance with the recommendation that each City upon adopting the Ordinance approve fully the specifications with reference to signs, and suggest that the Committee consist of Mr. Locke, Mr. Sanford and Mr. Davis.

Section 9. Recommended that sub-division "b" of Section 9 be stricken out at this time and that the subject matter be referred to a permanent committee on Law and Legislation for report at the next meeting of the Municipal Traffic League.

Section 15. In Paragraph No. 1, in next to last line after the word "property" insert "or the curb" lines.

Section 18. In the second paragraph in the second line after the word "signal" insert the following—"after stopping at the boulevard stop."

Section 23. In the second paragraph in the second line after the word "boulevard" change the sentence to read as follows: "Shall bring such vehicle or street car to a full stop."

Also add at the end of Paragraph 2, a provision to read as follows: "Except at Intersections where and when traffic is subject to stop and go signals or directions which shall control."

Section 29. At the end of the section add—"or upon the sidewalk in the Central Traffic District or in any business District."

Section 31. Strike out the fifth paragraph reading "at any curb within 15 feet of a fire plug" and renumber Paragraph 6 as paragraph 5, and in subdivision (b) in the third paragraph change the reference "paragraphs 4 and 5" to read "(paragraph 4)."

Section 37. Recommended that present subdivision A, B and C be stricken out and the following subdivision A and B be inserted as conforming to the recent amendment to the Los Angeles City Ordinance and as being practically identical with the Provision on the subject matter included in the Proposed National Uniform Motor Vehicle Code.

Section 37. RULES APPLICABLE TO VEHICLES PASSING STREET CARS.

(a) The driver of a vehicle shall not overtake and pass upon the left any interurban or street car

proceeding in the same direction, whether actually in motion or temporarily at rest when a travelable portion of the highway exists to the right of such street car.

(b) The driver of a vehicle overtaking any railway, interurban or street car stopped or about to stop for the purpose of receiving or discharging any passenger, shall bring such vehicle to a full stop at least ten feet in the rear of such street car and remain stationary until such passenger has boarded such car or reached a place of safety, except that where a safety zone has been established, or at an intersection where traffic is controlled by an officer or a traffic stop-and-go signal, a vehicle need not be brought to a full stop before passing any such railway, interurban or street car, but may proceed past such car at a speed not greater than is reasonable or proper and in no event greater than ten miles an hour and with due caution for the safety of pedestrians.

Section 38. Renumber the present paragraph as (a) and include an additional paragraph (b) reading as follows: "It shall be lawful for a vehicle to be driven on either side of a safety zone."

Section 39. In Paragraph No. 1, strike out section (c) "when traversing any steam, electric or street railway crossing" and renumber paragraph D and E as Paragraphs C and D.

Section 43. Change the maximum penalties from \$500.00 or six months to \$300.00 or 3 months.

(Signed) Peirson M. Hall,
Wm. J. Locke,
C. R. Perrier,
Edwin G. Bath,
J. Allen Davis.

Before taking final action on the report the matter of giving the uniform ordinance a significant name was discussed. The matter was referred to the Law and Legislative Committee for consideration, whereupon that committee immediately retired.

The committee on the establishment of Traffic Courts then submitted the following report:

November 18, 1926.

Your Committee appointed to report on items 2 and 3 of the program of the Municipal Traffic League of California in convention assembled this date, begs to submit the following report:

1. That the establishment of Traffic Courts to facilitate the handling of violations of Traffic Laws is sound in principle.

2. That the method now followed in many cities of allowing violators to get off with forfeiture of bail is not only illegal, but tends to engender disrespect for the law and does not furnish adequate legal record of offenders.

3. That the same result as is obtained by the forfeiture of bail can be attained in a legal manner by the establishment of a Traffic Fines Bureau under the jurisdiction of the Judges presiding over Traffic Courts.

4. That the presiding Judge establish a schedule of fines.

5. That the violator be given the opportunity of paying the fine for the first, second and third violations without appearing in Court.

6. That a report of each violation, together with the name of the offender be a part of the permanent record of each Bureau.

As a Committee, we believe that the Municipal Traffic League of California should endorse the establishment of Traffic Courts with attendant Traffic Fines Bureaus as local conditions justify.

(Signed) W. B. Hogan,
James S. Greene,
C. L. Hemphill,
Clarence R. Snethen.

The question of having a uniform scale of fines was discussed and Secretary Locke moved that the penal provisions of the ordinance be referred to the Committee on Law and Legislation with full power to act. Considerable difference of opinion seemed to exist with reference to this question with the result that upon motion of Councilman Hall of Los Angeles, the subject matter was laid on the table.

A report was next received from the committee appointed on the question of compulsory insurance, Supervisor Schmidt, chairman, who submitted the following resolution and moved its adoption:

RESOLUTION.

WHEREAS, the increasing number of automobile accidents in this state, especially of the "hit-and-run" variety, make it most desirable if not imperative, that some measure or measures be taken to curb the reckless and irresponsible driver who often runs away from his stricken victim lying helpless in the street through fear of his liability in damages, and

WHEREAS, in our opinion the situation would be greatly improved and the number of accidents decreased by the passage and enforcement of a law making it compulsory for all motorists to carry public liability insurance, now therefore be it

RESOLVED, by the California Municipal Traffic League, in convention assembled, that we urge the enactment of a state law making it compulsory for all motor vehicle owners to carry public liability insurance.

RESOLVED, that this resolution be referred to the Legislative committee of the league with instructions to prepare the necessary bill to accomplish the purpose sought, and submit the same for passage at the coming session of the legislature.

The motion to adopt the resolution was subject to a lot of debate in which the following delegates participated: Messrs. Schmidt, Heath, Hickok, Snethen, Mc-

Clintock, Gallagher, Hall, Alley, Todd, Cranbourne and Davis. Upon calling for a vote the resolution was adopted by a vote of 22 to 14.

The temporary officers were then voted the permanent officers of the League, after which Los Angeles was chosen for the next convention.

There being no further business the convention adjourned to the call of the Chair.

The following is a partial list of those who attended and participated in the convention:

Alfred W. Alley, Pres. L. A. Municipal Engineers' Assn., Los Angeles; Glenn W. Black, Delegate, Fresno; Alpheus Bull, E. D. Bullard Co., Essco Traffic Signal, San Francisco; Loren E. Butts, Fresno; W. S. Bramard, Acme Traffic Signal, Los Angeles; Edwin G. Bath, Supervisor, San Francisco; E. M. Boland, Fresno; B. H. Catching, City Trustee, Madera; H. S. Callahan, Councilman, Long Beach; J. W. Charleville, City Manager, Glendale; Mr. Chichester, City Trustee, San Leandro; Dick Down, Chamber of Commerce, Fresno; J. Allen Davis, Asso. Council Auto. Club of Southern California, Los Angeles; Chas. W. Deterding, County Engineer, Sacramento; A. W. Fox, Mayor, Woodland; Andrew J. Gallagher, Supervisor, San Francisco; C. J. Gardner, Supervisor, Mill Valley; L. H. Grieb, Traffic Sergeant, Palo Alto; James S. Greene, Chief Eng. Natl. Auto Club, San Francisco; Peirson M. Hall, Councilman, Los Angeles; W. B. Hogan, City Engineer, Stockton; Cleveland Heath, Dept. Chief of Police, Los Angeles; C. K. Harder, Chief Inspector Division of Motor Vehicles, Sacramento; Lieut. C. L. Hemphill, Lieut. of Police, Oakland; J. D. Huddle, Down Town Assn., Los Angeles; R. T. Hutchins, City Marshal, El Segundo; Clifton E. Hickok, City Manager, Alameda; Roy L. Juarez, Garage Owners' Assn., San Francisco;

A. M. Jensen, Com. Public Works, Fresno; H. K. Johnson, Supervisor, Sacramento; Theodore N. Koenig, Chief of Police, Sacramento; Karl M. Koch, Genl. Elec. Co., San Francisco; J. H. LaRue, Supervisor, Dinuba; Tennant Lee, Interest Traffic Officers, Los Angeles; J. P. Murphy, Captain of Police, Fresno; Treffe R. LaSenay, Secty. Chamber of Commerce, Fresno; Wm. J. Locke, Executive Secretary, Alameda; E. McCluskey, Insp. Div. of Motor Vehicles, Fresno; C. R. Perrier, City Attorney, Gustine; G. F. Potts, Theft Bureau Natl. Auto Club, Fresno; J. F. Peralta, Chief of Police, San Leandro; C. F. Robberson, Capt. of Police, Long Beach; G. H. Rostron, Chairman Supervisors, Santa Cruz; Al. Sunderland, Mayor, Fresno;

John Scholefield, Supervisor, Elk Grove; Jas. H. Shouldice, Mayor, Dinuba; Alfred Seale, Chairman Board of Safety, Palo Alto; Warren Shannon, Supervisor, San Francisco; G. E. Sandford, Atty., Calif. State Auto Assn., San Francisco; Walter J. Schmidt, Supervisor, San Francisco; Clarence R. Snethen, Secy. Traffic Comm., Los Angeles; C. F. Todd, Supervisor, San Francisco; Wm. M. Tudor, Mgr. Public Safety Dept. Calif. State Auto Assn., San Francisco; Percy E. Wescott, Traffic Dept., Pasadena; C. W. Watson, Mgr. Dalma Garage, Fresno; J. L. Wells, City Marshal, Madera; W. G. Walker, Chief of Police, Fresno; H. A. Zink, Chief of Police, Palo Alto.

Review of Street Opening Acts with Suggestions for Amendments

By NORMAN E. MALCOLM, City Attorney of Palo Alto

I suggested at a conference held in the Stewart Hotel in San Francisco on June 4, 1926, for the purpose of discussing the program for this convention, that the street opening and closing acts of this State had become very important and that some amendments should be made to these acts. On account of this suggestion, I find myself on the program.

We have on the statute books of the State of California three street opening acts—those of 1889, 1903 and our recent and very valuable contribution to the street laws of this State—the Acquisition and Improvement Act of 1925, commonly known as the "Mattoon Act." My suggestion made to the convention in San Francisco was due to the fact that the street opening and widening acts

have become of great importance in this State. For many years, these acts were not used to any large extent, and but little attention was paid to the acts or to requisite amendments thereof. Today, with the ever-increasing traffic and congestion upon streets and highways, due to motor vehicles and their parking, the question of more streets, wider streets and better streets has become all-important and many of our cities and towns are now studying these problems.

In Palo Alto, we have largely used the 1889 Street Opening Act and have opened and widened a number of streets under this act. The procedure under its provisions is costly, lengthy and cumbersome. The act needs amendment. As usual in street work, the initial pro-

cedure is by passage of a resolution of intention by the legislative body, which resolution must describe the lands to be taken for street opening or widening and the district to be assessed for the cost of the acquisition of the lands. After the resolution is passed, the act provides for the posting and publication of notices by the Street Superintendent. The notice of the Street Superintendent must be published for a period of ten days. The property owners may object within 10 days after the expiration of the time of publication. The Clerk must, at the next meeting of the City Council after the expiration of said ten days, lay said objections before said City Council, which shall fix a time for hearing said objections, not less than one week thereafter. The Clerk shall then notify the objectors by depositing notices in the post office, of the time of hearing. This provision should be amended so as to provide, the same as in other street acts of the State, that the notice of the passage of the resolution of intention should be published twice in a newspaper, and that the resolution of intention itself, and the notice published, should specify the time for filing objections and the time of hearing of the same. As the act now is, it takes more than 30 days before the Council obtains jurisdiction to make an order for the street opening. Under this act, a majority protest does not bar the work. The Council may over-rule the protests and proceed. It is for this reason that I decided to use this act in the City of Palo Alto, because the 1903 act provides that protests of a majority of the property owners is a bar for six months. There is absolutely no reason for a bar in street opening acts, because the determination of the Council as to the necessity should be final, and the property owner in any event receives full compensation for the value of the land taken.

The Council at the time of the hearing as provided for as aforesaid, may pass its resolution ordering the work, and in the same or a separate resolution appoint three commissioners to assess benefits and damages and have general supervision of the work.

Section 13 of the act provides that a report and plat shall be filed in the Clerk's office, by the commissioners, and that the Clerk shall give notice of such filing by publication for at least ten days, in one or more daily newspapers, or by three insertions in a weekly newspaper, if there is no daily. Such notice shall also require all persons interested to show cause, if any, why such report should not be confirmed before the City Council, on or before a date fixed by the Clerk therefor, and stated in said notice, which date shall not be less than 30 days from the first publication thereof. The giving of the notice in the manner prescribed is jurisdictional. The owner has a right to be heard and the date fixed by the Clerk is not the date of the hearing, but simply the time on or before which protests must be filed.

There is absolutely no reason why a publication of this notice should be made for ten days. Two days' publication is sufficient. Also, there is no reason for 30 days' time after the first publication in which protests may be filed. The excessive publications are too costly on the property owners, and the extended time unnecessary. This notice is all-important, however, and some amendment should be made whereby there are not only two publications of the notice, but also some more direct way of calling to the property owner's attention the necessity for filing protest if he objects to the work.

I believe that our street acts instead of stating generally that a notice should be given, should provide short forms of notices. This may obviate unnecessary expense.

I suggest an amendment as follows:

The City Clerk shall give notice of such filing by publication of same in a newspaper published and circulated in said City by two insertions, also by causing said notice to be posted along the line of the improvement within the district, in the form and manner provided for the posting of street superintendent's notices. On such posted notice, the words "Notice of Hearing" shall be in letters of approximately one inch in height. In case there is no newspaper published in the City, then the posting of said notices shall be sufficient. Notices shall be substantially in the following form:

"NOTICE OF HEARING:

"NOTICE IS HEREBY GIVEN that the commissioners have filed with the undersigned, a report in the matter of widening or opening.....Street, as described in the resolution of intention for said work, reference to which resolution is hereby made. The report will be heard by the City Council at the Council chambers, at the hour of..... o'clockM. on the.....day of..... Any property owner whose property is affected may file a protest in writing, before the time of hearing.

.....
City Clerk."

The principal distinction between the act of 1889 and the act of 1903 is found in the provision of the act of 1903 providing for condemnation proceedings in the first instance, instead of after the commissioners have made their report and the property owner has refused to accept the award, as provided in the 1889 act. Condemnation proceedings before further steps are taken have the advantage of fixing the value of the land prior to the report of the commissioners, thus avoiding any change in value which may occur under the procedure of the 1889 act. If

the 1903 act is used, however, an amendment should be made to Section 4, giving the City Council power to over-rule a majority protest by a four-fifths vote of the Council. The act should also be amended as to the publications of notices, in conformity with the suggestions made as to the act of 1889. I suggest that the amendment of the two acts discussed be referred to the legislative committee of the League for consideration of amendments thereto. These acts are still of importance in cities where street opening or widening is of small extent and it would not be advantageous to use the Mattoon Act. The Mattoon Act, I predict, will be used in the case of large improvements especially with boundary streets, where districts are formed both within and without the City, and bonds are issued extending over a period of years. The Mattoon Act has the advantage of providing for both widening and improvement at the same time, if desired, or that these may be carried on separately, and it is the only act in the State which provides for widening or opening streets and forming a district outside of the exterior boundaries of a city. I will not discuss the provisions of the Mattoon Act further, for the reason that it will be ably presented by the author at this convention. I desire, however, to call attention to the concurring opinion of Shenk, Justice, in the recent case of the County of Los Angeles v. Hunt, et al., Vol. 72 Cal. Dec., p. 5. In this concurring opinion the Justice points out several defects in the act which were not necessarily under consideration and upon which an opinion was not necessary in this case. These defects, however, might be raised in another case under a different state of facts, and the act is so valuable that no loopholes should be left in it. I direct the attention of the Legislative Committee to the concurring opinion.

Constitutionality of Zoning Ordinance Sustained by Supreme Court of the United States

On November 22, 1926, the United States Supreme Court in the case of *Village of Euclid vs. Ambler Realty Company* upheld the constitutionality of an Ordinance adopted by the Village Council of Euclid, Ohio, on November 13, 1922. This Ordinance established a comprehensive Zoning plan for regulating and restricting the location of trades, industries, apartment houses, two-family houses, single-family houses, etc., the lot area to be built upon and the size and height of buildings. It created six different classes of uses, and a portion of appellee's 68-acre tract of land was included in a two-family district, a portion in an apartment house district and a portion in an industrial district allowing all kinds of obnoxious factories.

The bill averred that the ordinance attempted to restrict and control the lawful uses of appellee's land so as to destroy a part of its value; that the ordinance constituted a cloud upon the land and had the effect of diverting the normal industrial, commercial and residential development thereof.

Mr. Justice Sutherland, who wrote the opinion, cites the fact that zoning has received much attention at the hands of experts and that their reports concur in the view that the segregation of residential, business and industrial buildings will make it easier to provide fire apparatus suitable for the character and intensity of the development in each section; that it will increase the safety and security of home life; greatly tend to prevent street accidents; decrease noise and other conditions which produce or intensify nervous disorders and provide a more favorable environment in which to rear children.

The Court concluded that the ordinance in its general scope and dominant features, so far as its provisions were involved in the case, was a valid exercise of authority. It was further held that the court could not pass upon the constitutionality of provisions of which specific complaint was not made in the bill.

Three justices entered their dissent to the opinion of the Court.



Pension Systems for Municipalities

Address by H. Ivor Thomas, City Auditor of Santa Monica,
before City Attorneys and City Clerks, Wednesday Afternoon, August 18th, 1926.

Pension systems have been tried and used from the very early days. We hear of them first in the Roman Era but we do not know how they were run or organized. Coming down a little later there are some pension systems in Europe which have been in existence for over one hundred years. However, these have not proven satisfactory, as is shown by the fact that in some of the largest cities in Europe the pension fund has run up to from thirty-one to forty-two per cent of the payrolls of those municipalities. This could have been avoided if the right principles had been adopted in the first place.

It is the inclination to start a pension system on guess work, and as the funds derived from contributions grow and it looks as if the fund were going to be able to take care of all future liabilities the tendency is to increase the pensions. This leads to disaster. The pension fund plans in a number of cities and states have had to be re-organized. That means that the people have found out that the amounts they have been saving for the pensions when due have been so far short of the required sum, that in order to meet the payments it has meant such an increase in tax that it is prohibitive. The only safe way to provide for a pension system is to determine first of all, what you intend to create and under what conditions. Then it is necessary to take the history of the employees of the municipality for which the system is to be adopted, for at least five or ten years previous to the time of starting the plan, ascertaining the ages at which the employees of the department were employed and the probable number of employees who will qualify to receive a pension. These statistics should be gone

over carefully to find out the true cost of the benefits to be provided.

Although some cities may have no definite pension system, to some extent they set out to meet this obligation, because every governmental authority does actually pension its employees in one form or another. You will find that in a city which has no rules for the retirement of its employees, and no means of keeping them in active service, they will be permanently carried as "dead heads" on the payroll. Instead of being discharged when they are unable to render full service, and when the weakness of old age has impaired their usefulness, they will be retained to perform what work they can. This is not good on account of the criticism it calls up in the minds of the taxpayers. One of the main objections is that all employees retained on the payroll should be able to give efficient service.

There are three plans of pensions usually followed, called the contributory, non-contributory and partial contributory. In the non-contributory plan the municipality provides all the expenses, in the contributory plan the employees provide all the premiums and in the partial contributory they share the expenses. Of these three plans the third has proven the most satisfactory, because the employees contribute their share of the expenses and the kind of benefits that should be provided will enter into the question. First of all an annuity allowance, or retirement allowance is usually made for the pensioner at his option when the employee is sixty or sixty-five years of age and is made compulsory when he reaches seventy or thereabouts. In New York the rates contributed by the employees are based on 1/140th of the average retire-

ment salary which the employee will be drawing at the time of retirement, and the state contributes the same amount. The amount of the pension will be 1/70th of the final average salary received, multiplied by the years of actual service. The average salary is usually arrived at from the last five years of service.

The estimates usually also provide for a death benefit or insurance, and in some cases this is contributed partly by the employees.

There is a very serious matter to be taken into consideration by a municipality starting a new system, and that is to provide means to meet pensions of those already in the service and who will be qualified for pensions before they have paid their share toward any retirement allowance. This obligation has been met by the city entirely.

I am trying to bring out a few points that are serious questions in the case of the City of Santa Monica. A little over a year ago Santa Monica passed a charter amendment which provided that the commissioners should adopt an ordinance to establish a Relief and Pension Fund. It stated that the police and fire departments must come under that plan, and the employees of any other department might be included, and provided further that the ordinance should state what benefits were to be conferred and the terms of service that would be required. Another of the terms was that the city should provide annually an amount not in excess of 1% of the general tax levy towards the pension fund.

Many of the employees in Santa Monica have served the city over ten years, a good many over fifteen and some over twenty. The charter amendment has a requirement that they shall not receive pensions until they have served twenty years. It is provided in most systems now in use that the city provide the expenses of those employees who have already been in the service for a

greater or less length of time prior to the installation of the system, up to that date. However, in the City of Santa Monica, this represents a very difficult point, because of the limit to the amount of contributions, in the charter amendment which authorizes its establishment.

The plan in New York bases the rate of contribution on the age of the employee at the time of entering the service. An employee entering the service at the age of twenty, if a laborer will pay a little less than 3½%. In Baltimore for the same age he pays just a little over 3½% and the rate varies from 3½% to over 7% in the case of those entering the service at the age of 59 or over. The rate contributed at the time of entering the service is not changed during the whole length of the service of the employee, except in those cases where arrangement is made for a re-adjustment of rates according to actual expenses when computed under later actuarial investigations.

In New York the Comptroller of the State has charge of the pension fund and there is a pension board which contains representatives of the state and of the employees and in that way works for harmony where any question arises, because the employees are represented on the board. That is a very wise provision to make because you will get the cooperation of your employees to aid you in carrying out the policies.

I would like to repeat the great danger of changing the amount of benefits because you think your fund is growing very fast, so that the ordinary person will think that it will be easy to increase the pension allowances, because the amount of the fund looks very imposing. A pension fund should grow, and must establish a reserve so that it can take care of its pensions when they become due; and the spectacular period of its growth is during its early years, while the reserve is being provided, and before many pensions have become due.

BUSINESS LICENSES

By R. N. WOLFE, City Attorney of Pittsburgh

This subject is on the program of this convention by the vote of City Officials. It seems that others, besides myself, have found the subject beset with difficulties. Yet the general principles involved are well understood and readily applied. The old familiar landmarks are plainly erected to guide us aright. What's the difficulty?

If I should ask you the purposes of business licenses you could answer in three words, "Regulation and revenue." The answer is correct and complete. The trouble is that we try to use business licenses for purposes other than regulation and revenue.

Let me illustrate: A flock of used cars are brought into town to be sold. An out of town plumber or painter or electrician gets a contract in our town. Somebody starts an auction or bankrupt sale. A man starts down the street peddling melons. A tent show drops in. At once the local representatives of the calling affected send out an S. O. S. They turn for relief to the police, the marshal, the City Manager and Trustees.

And the purpose that actuates the suppliants is neither revenue nor regulation. Their object is to set up safeguards against damaging competition, to establish a kind of protective tariff.

And here, in my judgment, lies the most fruitful source of our difficulties. We are urged to use for local protection a power confined by law to revenue and regulation. The law has given us a two horse team—regulation and revenue. It has marked out a road just wide enough for that team. Now a third horse, called "Protection," has been hitched up with Regulation and Revenue. And we are

expected to drive the three-horse team on a road built for two.

The pressure for protective licenses is great. It arises, apparently, from the feeling on the part of the individual business man that he's not getting a square deal; that he is burdened to the limit at best, and that "unfair competition" is the last straw. It may be that he is up against an economic law that is working toward the elimination of independent individual enterprise. I am not discussing the justice of his cause. We have to take him as he is. We have to deal with an individual business man who thinks he is doomed unless the Board of Trustees grants relief from unfair competition.

When there is any hope of modifying any particular kind of damaging competition, we are expected to draw an ordinance to meet the case as best we can. The result is a host of ordinances entirely or partly designed to protect the local man. For many of these the last sad rites have been said. Some have not been tested and some have been sustained. Prominent among this last named class are ordinances regulating peddling.

PEDDLERS

Peddling, soliciting and hawking may be considered together. All are subject to regulation, and all are so defined as not to include the merchant who has a fixed place of business. (13 Cal. Jur. 287-289.)

Ordinances fixing reasonably high licenses for peddlers are generally upheld, upon the recognized powers of regulation and revenue. The "third horse" is kept in the background. It is not good form

to recognize his existence. When the third horse gets out of control the license tax goes too high. Then the ordinance is invalid, because license taxes must be reasonable. (19 Cal. Jur. 197.)

How high a peddler's license tax may be placed and be valid is very uncertain. The test is reasonableness. And the character of the goods and various other facts enter into the question of reasonableness. (37 Corpus Juris 194.)

Much depends on the character of the goods peddled. Useful occupations receive a larger measure of consideration, and inherently harmful and dangerous ones may be subjected to such high licenses as to discourage or even prohibit. (37 Corpus Juris 187.) But decisions vary greatly. An ordinance was sustained in *Walla Walla v. Ferndon*, 57 Pac. 796, where the license tax for traveling vendors of medicines was placed at \$50.00 a day; while in *People v. Wilson*, 35 L. R. A. N. S. 1074, an ordinance placing the license tax at \$100 per month was held to be unconstitutional as tending to deprive vendors of liberty and property without due process of law, and as tending to create a monopoly in those engaged in the drug business with a permanent location. Other significant cases are cited in notes in *Annotated Cases* 1914 D 938, and 1916 A 1238. The *Walla Walla* case is decidedly extreme. License taxes approved by the courts are almost universally but a small fraction of \$50 a day. Yet they are substantially higher than those of resident merchants. Thus regulation, revenue and protection are well served.

The most serious defect with the usual peddler's license is that it does not take in all the peddlers. Certain war veterans are exempt and interstate commerce cannot be reached.

Honorably discharged war veterans who are physically unable to obtain a livelihood by manual labor are allowed

to peddle without licenses. (3366 Pol. Code.) This is not objectionable. The only difficulty is to determine what persons come within the terms of the exemption.

The serious obstacle is the commerce clause of the national constitution, Article I, Section 8. When the title to the goods peddled is in a person or corporation outside of the state, the transaction is interstate, and cannot be burdened with local license taxes. Mr. Fred J. Goble, City Attorney of Santa Maria, was requested to address this convention on the subject of peddlers, but could not be present. At this point I shall take the liberty of drawing somewhat from his ideas: The 14th Amendment guarantees equal protection of the laws. The failure to allow peddlers' license ordinances to operate equally between manufacturers in and out of the state is a discrimination foreign to the spirit of the 14th Amendment. This is wrong in principle. It should be changed. This convention should start a movement urging Congress to pass a law to the following effect:

"Persons engaged in interstate commerce shall be subject to the same business licenses, whether local, municipal or state, as shall be applicable to other persons engaged in the class of business in which such persons are engaged, and they shall likewise be subject to all reasonable local, municipal, or state police regulations which are not in conflict with the laws of Congress."

Up to the present the most noteworthy attempt to fix a license tax upon the interstate peddler was made in Portland, Oregon, in 1923. The ordinance provides that every person who goes from place to place taking orders for goods for future delivery, and who receives payment or a deposit in advance, shall secure a license and file a bond. The license tax was \$12.50 per quarter, and \$25 when a vehicle was used. The bond was \$500 and con-

ditioned to make final delivery of the goods. There were recitals indicating a purpose to prevent frauds. Real Silk Hosiery Mills attacked the ordinance. The trial court and also the U. S. Circuit Court of Appeals upheld the ordinance. But the United States Supreme Court held that the ordinance was repugnant to the interstate commerce clause, and that the expressed purpose to prevent frauds is not enough to justify legislation which really interferes with the free flow of legitimate interstate commerce. So fell the Portland Ordinance, and, with it, a host of imitations that had sprung up in California and elsewhere. There seems to be no chance to tax interstate peddlers. They go scot free while other peddlers pay high licenses or quit. In this particular the local merchant wholly fails to obtain protection. He doesn't even have an even break. He has to meet outside and untaxed competition. In this particular, at least, his cry of "unfair competition" is justified. And no remedy is in sight unless Congress comes to the rescue.

Can interstate peddlers be regulated? The need for such regulation is apparent. A good many so-called peddlers are positive frauds and a menace to society. It is said that others only pretend to be peddlers to cover up their real purpose, which is to loot unoccupied homes. Can this abuse be reached by police regulations broad enough to include interstate peddlers?

Such regulations are now in force in a good many of our cities. All peddlers are required first to obtain licenses or certificates of exemption. They are then required to register with the police department and answer certain questions, give character references, etc. Some cities require thumb prints. I am informed that such ordinances are working well. How far we can go along this line

remains to be seen. Court decisions are not yet available.

Santa Maria has a regulation ordinance that has been subjected to attack by the same company that defeated the Portland ordinance. The Santa Maria ordinance specifically includes interstate peddlers. Every peddler is required to file each day with the Marshal a complete list of the residences he expects to visit on the following day. And each day he must keep within this list. Besides, persons not desiring to be canvassed may file their names with the City Clerk, and the Marshal strikes all such names from the peddler's lists. No permit is "granted till the applicant has paid all license fees required by law or ordinance." Another ordinance licenses all classes of business including peddlers, and makes no exceptions in the matter of interstate commerce. Both ordinances are under attack. At latest reports this case was still under submission in the trial court. The result is awaited with interest.

I am inclined to think that the requirement of police registration and questionnaire will be upheld as proper police regulations, even as against interstate peddlers. Possibly also the thumb print. Regulations of this character seem free from the objection made in the Portland case. It can hardly be shown that they "really interfere with the free flow of legitimate interstate commerce."

Can the cost of such regulation be covered by a license fee applicable to interstate peddlers? I doubt it. Though such a charge would perhaps meet the above test, it would open a door likely to lead to the same thing the Portland case condemned. I suspect that the United States Supreme Court will keep that door closed.

ITINERANT MERCHANTS

As an outgrowth of peddlers' licenses we now have a distinct kind of license for

transient or temporary merchants. The terms "itinerant merchants," "transient merchants," and "itinerant vendors" are used. The usual ordinance defines "itinerant vendors" as persons who engage in a temporary or transient business, selling merchandise with the intention of continuing for not more than 90 days, and who occupy a building for such business. In some cities the ordinances merely fix a license tax for itinerant or temporary merchants, without defining the phrase. The law on this subject is well summarized in a note in 37 Corpus Juris on page 227.

"(1) Whether a dealer or merchant should be classed as 'transient' depends entirely upon the intention with which his business is established and carried on, and such intention is a fact to which he may testify. *State v. Cater*, 184 Iowa 667, 169 NW 43. (2) It depends upon the kind of business transacted, the place where it is conducted, and the duration or intended duration thereof. *Scranton v. Hensen*, 151 Iowa 221, 130 NW 1079. (3) A transient merchant is a merchant who buys and sells merchandise, and whose sales are made at a place in the state temporarily, and who does not intend to become, and does not become, a permanent merchant of such place. *State v. Fleming*, 24 N. D. 593, 140 NW 674. (4) A vendor who comes to a place for a temporary or brief stay with salvaged goods or merchandise which he advertises to retail at wholesale prices, or represents as coming direct from factories, is required to pay a transient merchant tax. *Chero-Cola Bottling Co. v. McDaniel*, 145 Tenn. 615, 237 SW 1101."

This subject is also touched upon in 3 McQuillin 2253, where a few cases are cited pro and con.

Ordinances licensing itinerant merchants are sustained upon reasoning similar to that applied to peddlers. The power to exact such licenses appears to be ample, though I have found no California cases in point. Such licenses are now in effect in numerous California cities.

The striking feature of these licenses in California is the extremely high charges imposed. A half dozen or more of our cities charge \$100 a day. This is indeed protection run riot. Such a charge is so manifestly unreasonable and so plainly designed for protection that it seems to have no chance of withstanding attack. While such licenses can never be bars, they are said to work well as deterrents.

But in this connection a significant fact must be noted. Certain notes and even supreme court decisions seem to place protection upon an equal footing with regulation and revenue as a purpose to be served by this kind of licenses.

"The usual justification offered for the imposition of a license upon transient merchants is to insure proper contribution from such merchants for police protection, and to protect local dealers against unfair competition by transient dealers who come and go so quickly as to escape their share of general taxation in the community." *State v. Cater*, 184 Iowa 667, 676, 169 NW 43, 46.

Our own Supreme Court, in the case of *In Re Gilstrap*, quotes on page 115 of 171 Cal. the following language:

"So that it may be said that the purpose of regulating the occupation of peddling is to protect, on the one hand, fair traders, especially established storekeepers residing permanently in cities and towns and there paying rent and taxes for the local privilege, from being undersold by itinerant persons, and, on the other

hand, to guard the public from fraud and imposition not infrequently practiced by such traders who have no known residence or responsibility."

The language of these cases is indeed startling. It suggests that the third horse may belong in the team after all. And if a board of trustees has the power to legislate local merchants into prosperity by eliminating such competition as is deemed "unfair," what I have said about the recognized purposes of business licenses is all wrong. But in my judgment no such conclusion can be drawn. In *Matter of Hines*, 33 Cal. App. 45, and *In Re Hart*, 36 Cal. App. 627, ordinances were held invalid for the specific reason that the license provisions were plainly devised as protective tariff for local benefit. And so the courts must always hold when the issue is squarely presented. The *Cater* and *Gilstrap* cases cannot well start a new line of decisions. They may be regarded as cases in which the underlying motive of protection has accidentally cropped out. Such outcroppings cannot vindicate the position of a third horse in the team of regulation and revenue. Their chief significance is as an indication of how far the third horse does in practice dominate the team.

AUCTIONEERS

Another class of salesmen similar to peddlers and transient merchants is auctioneers. Ordinances deal with auctioneers much the same as with other itinerants, and the same general principles apply. Sometimes auctioneers are grouped with other itinerants in a single license provision. Here also the pressure for protection is very strong. And it is probable that a good many cities have gone beyond the point of reasonableness. What local merchants object to most bitterly is the sale by auction of goods brought from out of town. They concede the right of the legitimate resident

merchant, on retiring from business, to dispose of his stock by auction.

Accordingly the City of Oakland passed an ordinance calculated to prohibit jewelry auctions except for the purpose of closing out the stock of a bona fide merchant. Quite elaborate regulations are imposed to insure this result. Where the regulations are complied with a permit is issued by the council. Apparently no tax is imposed. This ordinance was recently upheld in *Matter of Application of Sam West*, 48 Cal. Dec. 807.

Martinez and Pittsburg and probably other cities have now adopted the Oakland ordinance, expanding it to include all kinds of goods—excepting, of course, judicial sales and the like. It does not necessarily follow from the Oakland case that these ordinances will be upheld; for the reasoning of the court in that case is, in part, particularly applicable to jewelry auctions.

I have confined this discussion to itinerants for the sake of brevity. Other callings involve the same principles and present similar problems. The purposes of regulation and revenue in the main are pretty well served. The anomalous interstate commerce problem is an exception. Where we have failed it is generally because we have tried to introduce protection. Failures of this kind are legion. And the stage is set for many more.

Local business is praying for protection and we are responding with a flood of ordinances that are either of doubtful validity or clearly invalid. Such ordinances used as deterrents solve nothing. Sooner or later they cease to deter.

And they are bad for another reason. The deliberate passage of an unconstitutional ordinance is in itself a species of lawlessness. It is expressing contempt for the constitutions officials are sworn to uphold. It is fostering that spirit of

revolt against law which we so greatly deplore. And yet we go on multiplying invalid protective licenses to be scrapped in the end by the Supreme Court. What is the remedy? I don't know. But it seems clear that business licenses cannot suc-

cessfully restrict competition in the interest of private business. Competition is a problem of private business for private business to solve as best it can. This may be harsh, but I see no alternative.

SKYSCRAPERS

The skyscraper is still a subject of controversy and will probably become more and more so in every one of our large cities as the disadvantages that result from the unrestricted building of very tall structures become apparent.

In the New York Times Magazine, published Sunday, December 5th, 1926, both sides of the question are presented in interesting articles. Harvey Wiley Corbett, prominent New York architect and a graduate of the University of California in the class of 1895, presents the argument for the skyscraper. He says that the skyscraper fills a definite function in American business life and that it is the most important contribution we have made to the building arts. He says: "As a European city differs from an American City, as Pall Mall differs from Broadway, so the skyscraper is different from all other buildings in its vigorous assertion of American qualities." He asserts that New York could not meet all of the demands imposed upon it if it should revert to a ten story city and that the concentration of skyscrapers in different centers is a logical development. He further claims that the skyscraper absorbs a host of people and keeps them off the streets at least until 5 o'clock.

The outstanding need of New York is to find relief for getting the people to and from the congested districts for the two hours before 9 o'clock and the two hours after 5 o'clock.

Henry H. Curran presents the article against the skyscraper and states that the latter has given New York "Structural indigestion." "Because of the skyscraper we have clusters of huge buildings grouped along the spine of Manhattan, consuming more than a fair share of light and laying undue burdens upon transit lines." Contrary to Mr. Corbett's view, he claims that the skyscraper causes congestion and overcrowding in the subways, on the sidewalks and in the streets and makes motor traffic almost impossible. He goes on to say that each skyscraper requires tons of material every day, conveyed through streets taxed beyond capacity. Many skyscrapers in turn produce still other tons of manufactured articles to be moved through the same streets.

It is interesting to compare these articles with one on the same subject written by Frederic A. Delano, Chairman of the Regional Plan of New York and its Environs, published in the American City Magazine in January, 1926.

Proceedings of the Twenty-eighth Annual Convention of the League at Yosemite Valley August 16th to 20th, 1926

(Continued)

SESSION OF THE MORNING OF

AUGUST 18, 1926.

C. M. KIRKBRIDE, Presiding.

MR. KIRKBRIDE (Presiding): The convention will come to order.

At the request of Past President Wright who has been presiding at this session of the convention in the absence of the president, I, as one of your past presidents will preside this morning in his place.

I take it that the business of the convention is now approaching a close and you are interested in the business end of it.

As one of your past presidents, however, I want to congratulate you on the work of this convention at this session. We have had a good many unique experiences in the history of the League, but it appears to me this has been the most unique one of all of them.

When you think that we are in the very heart of the Sierra Nevada Mountains, at an elevation of 4/5ths of a mile above sea level, in this most wonderful valley, and that we are holding our convention among such surroundings, it seems strange to contemplate, and will be stranger as you think of it in terms of the past in the future.

Has the committee on resolutions made its report?

MR. LOCKE (Executive Secretary): I have the report on the table, Mr. Chairman.

MR. KIRKBRIDE (Presiding): The secretary will present the report of the committee on resolutions.

MR. LOCKE (Executive Secretary):

Mr. President, may I at this time, before reading the report of the committee, read a telegram which has been received from President Moody in response to the telegram that I sent him at the direction of the body. I received this reply this morning. (Reading.)

MR. KIRKBRIDE (Presiding): I know you are all pleased at this word from your president.

MR. LOCKE (Executive Secretary): The first resolution was the resolution that was prepared by instruction of the body on the first day of the session pursuant to a motion made by Mr. Hayden of San Francisco. It is a resolution of respect for the memory of the late Judge Lennon. (See page 297, August number.)

MR. KIRKBRIDE (Presiding): You have heard the resolution; are you ready for the question?

MR. HAYDEN (San Francisco): As the author of the motion for the preparation of the resolution just read by the executive secretary, I move the adoption of the resolution by a rising vote.

(The motion, duly seconded, was unanimously carried by a rising vote.)

MR. LOCKE (Executive Secretary): The next resolution is as follows: (Reading.) "WHEREAS, There is a conflict and uncertainty existing in the statutes relative to the matters pertaining to public health and sanitation, and public interest can best be served by the formation of public health and sanitation districts to be authorized to control all

problems relating to public health and sanitation, including sewage disposal, garbage and rubbish collection and disposal, the control and abatement of mosquitoes, flies, weeds and other animal or plant nuisances, regulation of quarantine control, food supplies, bathing resorts, etc.

"Now, Therefore, Be it

"RESOLVED, that this League favors the formation of a comprehensive act to provide for the establishment of public health and sanitation districts covering incorporated and unincorporated territory for this purpose."

MR. MALCOLM (Palo Alto): I move you that the resolution be referred to the Legislative Committee of this body.

MR. HAYDEN (San Francisco): I second the motion.

MR. KIRKBRIDE (Presiding): The resolution committee has recommended that this be adopted. Do you wish to amend your motion, Mr. Malcolm?

MR. MALCOLM (Palo Alto): I move that it be adopted and referred to the Legislative Committee.

MR. KIRKBRIDE (Presiding): Your motion is that the resolution be adopted and submitted—

MR. MALCOLM (Palo Alto): Be adopted and referred to the Legislative Committee. Now, you understand, Mr. Chairman, this is a general sanitation and health act that is referred to in this resolution.

MR. HAYDEN (San Francisco): I would like to second the motion just made. That would be quite satisfactory.

MR. POMEROY (Los Angeles): Is the conference on record as endorsing the referring of these detailed provisions to the Legislative Committee?

MR. KIRKBRIDE (Presiding): It has been the custom that the Legislative Committee always goes into these details in its preliminary consideration of any resolution affecting any legislation or bill

before the proposed resolution is submitted to the committee as a whole.

MR. COLDEN (Los Angeles): I desire to ask, as a matter of information, whether or not this proposal will give any authority or power to a sanitary district to dump its sewage in the area within the limits of any incorporated city.

MR. KIRKBRIDE (Presiding): It seeks to modify existing legislation and it is intended that sanitary work be carried on in conjunction with the county and city authorities and not to give them individual authority.

Is there any further discussion? If not the motion goes before you.

(On motion duly seconded, the resolution was adopted and referred to the Legislative Committee.)

MR. LOCKE (Executive Secretary): The next resolution, Number 3, was introduced by Supervisor Shannon of San Francisco approving the Swing-Johnson bill and recommended by the committee.

(Note—The resolution was printed in full on page 297 of the August number.)

MR. SHANNON (San Francisco): Mr. Chairman and delegates to the convention, I feel that little need be said to you in regard to the resolution just read by the executive secretary, due to the fact that we are all so interested in the Swing-Johnson bill and the Boulder Dam project. We, of San Francisco, and you of Los Angeles, have had our troubles with the power trusts and with the adoption of the Swing-Johnson Bill we will have a million horsepower of electricity for public use. San Francisco is now developing 70,000 horsepower and we intend in a short time to develop considerably more power as we install more power plants. The people of Los Angeles have had their experience with the power trusts and know what they have to go through in the fight we have had, and the several dis-

tricts of the state that are interested in municipal ownership would do well to interest themselves and their citizens in this very important bill that will come up before the next session of Congress.

I sincerely trust it will pass with a unanimous vote, and I move its adoption.

MR. HAYDEN (San Francisco): I second the motion.

MR. KIRKBRIDE (Presiding): Is there any discussion on the motion?

MR. POMEROY (Los Angeles): I feel as a representative of the section of the state which will benefit more directly than any other section, the Imperial Valley itself, that all of the cities of Southern California are indeed deeply concerned in the purpose of this resolution. However, I would raise the point as to the desirability of including in a resolution of this kind any wording or language which might distinctly weaken its effect as it goes out over the state or beyond it.

I refer to the rather direct criticism of state and federal officials in the matter of their failure to take a stand in favor of the Swing-Johnson bill and that such failure was brought about through active opposition on the part of the power companies. Whatever may be the opinion as to who may be responsible for the legislation having been delayed "until the next session of Congress," and we all regret the delay, but are we—is this league in a position at this time to place that responsibility at the door of any official of the state or federal government, or of anyone individually? Wording of that kind, coming out on the eve of a primary election in which will be decided the executive head of this state for the next four years might be considered as a political pronouncement on the part of this league. I am not speaking in favor of the present administration or of any candidate for governor but I rather question the advisability of this League, repre-

senting, as it does, 245 cities to adopt a resolution which expressly or impliedly places the blame for the delay of this legislation at the door of any public legislator since that would indicate that this body had carefully investigated the entire situation and had reached a deliberate conclusion as to who was responsible for the delay. I am in hearty accord with the resolution but I would move an amendment to the motion for its adoption, that there be stricken out of the resolution the words implying criticism of state or federal officials. I move that the following language be stricken from the resolution: "—and the failure of the state government of California and certain of our Federal Legislators to take a stand in favor of the Swing-Johnson Bill." That is the part which I think is objectionable and which should go out.

MR. KIRKBRIDE (Presiding): Is there any second to the amended motion?

MR. WHITNALL (Los Angeles): I second the motion to amend the motion for adoption.

MR. KIRKBRIDE (Presiding): It is moved and seconded that the resolution be amended by striking out certain language. Can you identify that, Mr. Locke?

MR. LOCKE (Executive Secretary): It is all included in the second paragraph.

MR. KIRKBRIDE (Presiding): The secretary will read the paragraph so we will understand what language is referred to.

MR. LOCKE (Executive Secretary): The second paragraph of the preamble reads: "Whereas, this project was delayed in Congress until the next session due in large part to the active opposition of private power interests and the failure of the State Government of California and certain of our Federal legislators to take a stand in favor of the Swing-Johnson Bill." That is the only para-

graph of it which casts reflection on anybody.

MR. SHANNON (San Francisco): There is no direct charge contained in that "Whereas." There is responsibility on certain officials for negligence in the proper enforcement and the proper attention being given to this bill, but, as you will note there is no specific mention made of anybody and I think, possibly, when it is called to the attention of those that are directly responsible it might have a very salutary effect and I trust the amendment will not be carried.

MR. MALCOLM (Palo Alto): I agree with the last speaker.

MR. MULTER (Arcadia): I am from the city of Arcadia, 16 miles from Los Angeles, and we are very much interested in that legislation. We are only a small municipality, but it seems to me that the future success of this organization depends upon its keeping out of politics. I thoroughly agree with the gentleman that that criticism in there, without any investigation of this body as a whole and expressing such an opinion is out of place. I wish to urge the amendment by striking out paragraph two.

MR. KIRKBRIDE (Presiding): Is there any further argument?

MR. WRETMAN (Sunnyvale): It seems to me this resolution is exactly right. If anything, it doesn't go far enough in its criticism of the officials who are responsible for the delay in the passage of the Swing-Johnson bill and I think Mr. Shannon is exactly right in pointing out directly certain officials who have been negligent. We don't say who, engineers, attorneys or who, but we know someone has been asleep at the switch and I think we should wake them up.

MR. GRAVES (Hanford): I do not agree with Mr. Shannon and the gentleman who has just spoken. Personally and individually we might express that sentiment, but here we are representing

a large portion of the State of California through our municipalities and whatever we as individuals think and what we as a collective body of officials of California think is quite another thing, and as a matter of prudence, I do not think it would be prudent for this body to go on record to that extent. I don't believe it would express prudence, and I am heartily in favor of striking out of the resolution that second part of the preamble.

MR. SHARP (Fresno): I am in accord with the last speaker, to leave that paragraph out. We are here for a specific purpose in connection with this resolution of adopting constructive measures. This paragraph, on the other hand, is aimed at somebody. Now, the very fact that that "somebody" is not specified is in itself a very bad thing because it will create a lot of discussion if it is adopted by this League, and the question is "Who are we hitting at?" Are we hitting at the officials or are we hitting at the people? What is said there seems to be unnecessary. There should be a unanimous expression of opinion and sentiment in favor of the Swing-Johnson Bill. We should stand firmly behind that bill and endeavor to secure its passage in the Legislature, and I think the amendment should be adopted and the paragraph left out.

MR. COLDEN (Los Angeles): Mr. Chairman and delegates, I want to lend my voice to the opposition to the amendment proposed by the previous speakers and in support of the resolution as introduced by the member from San Francisco. You may call this a political issue if you like, but it is the biggest proposition before, not only Southern California, but all of California. If Los Angeles is not permitted to obtain power and water from the Colorado River we necessarily must expand our irrigation into the central part of the state. Now, I believe,

with all the power and water going to waste we should expedite the Boulder Dam project and develop the power which is now going to waste and we should conserve that power in California for the rapidly growing cities in this section. I don't consider this as politics. This matter is of vital interest to every citizen in the State of California and to every member in the Los Angeles Council and every member of the League, and I believe every member of any legislative body or administrative body in this state is permitted to lend his support to the accomplishment of this project, and I believe not only the city officials but the state officials and representatives of the Federal Government should stand behind the California program for municipal development for water and power in this state.

MR. FEEMSTER (Visalia): I take it that the thing we want to do here is to endorse the Swing-Johnson Bill and not to enter into any expression of sarcasm towards people who may be adverse to that bill. I don't see why any criticism we might offer in the delay attending the passage of the bill is going to enhance the passage of the bill finally. I think if this League goes on record as unqualifiedly endorsing the Swing-Johnson bill, that is as far as this League has a right to go. As a representative of a municipality I think that is as far as I have a right to go.

MR. KIRKBRIDE (Presiding): Is there no further discussion on the resolution? It goes before you on the amendment as proposed by Mr. Pomeroy of Los Angeles, to strike out the language which was read to you by the secretary in the second paragraph. Those in favor of the amendment will signify by saying "aye;" those opposing "no."

MR. HAYDEN (San Francisco): I move that a rising vote be had.

MR. CARROLL (Alhambra): Before this vote is taken let us have it distinctly

understood what you are striking out. Are you striking out the criticism of state and federal officials?

MR. KIRKBRIDE (Presiding): Mr. Pomeroy, can you identify that particular language which you included in your motion to strike out?

MR. POMEROY (Los Angeles): The motion I made was that all language be stricken out which might express or imply criticism of state or federal officials.

A DELEGATE: I would ask that the secretary read that particular paragraph again.

MR. KIRKBRIDE (Presiding): I think the motion should point out that certain language.

MR. LOCKE (Executive Secretary): Here is the language included in Mr. Pomeroy's motion: ". . . and the failure of the state government of California and certain of our Federal legislators to take a stand in favor of the Swing-Johnson Bill." That is the only language which I think Mr. Pomeroy had reference to.

MR. POMEROY (Los Angeles): That is correct.

MR. KIRKBRIDE (Presiding): Those in favor of the motion as clarified by this explanation will signify the same by standing.

(57 in favor of the motion.)

Those opposed to the motion will now stand.

(Opposed vote was 34.)

MR. KIRKBRIDE (Presiding): The chair will declare the motion to amend to have carried and the motion to adopt the resolution that now goes before you as the resolution has been amended by your vote. Is there any further discussion?

MR. POMEROY (Los Angeles): The question?

MR. KIRKBRIDE (Presiding): If not the question goes before you and those in favor of the resolution as amended will signify by saying "aye;" those opposed "no."

(The motion is carried, and the resolution as amended is adopted.)

MR. KIRKBRIDE (Presiding): We will take up the next resolution.

MR. LOCKE (Executive Secretary): The next resolution, Number 4, reads as follows:

"Memorial on Death of Hon. D. J. Hall.

"It came as a shock to city officials when word arrived of the passing of Hon. Daniel J. Hall, former Superior Judge of California, but more intimately known as City Attorney of Richmond.

"He had the saving grace of kindness and his genial smile is missed this year from the Convention Hall.

"An able attorney, he had the willingness to help others and his wise counsel was welcomed at many a sitting of his fellow attorneys.

"An honest man, his influence upon society in his different places of abode has already made itself felt in California and will live after him.

"We mourn the sudden illness which took him from us.

"Our sympathy goes out to his widow and family.

"We commend his example to other city attorneys and city officials.

"We note the fact that his life and work and good deeds have helped to place municipal administration and also the administration of justice in California upon the high place which they hold.

"A copy of this memorial will be sent the widow of the deceased."

"Memorial adopted by the City Attorney's Section of the League of California Municipalities in Annual Convention assembled at Yosemite Valley, August 18, 1926."

MR. WHITNALL (Los Angeles): I move the adoption of the resolution.

MR. POMEROY (Los Angeles): I second the motion.

(The motion was unanimously carried, and the resolution was adopted.)

MR. LOCKE (Executive Secretary): Resolution Number Five reads as follows:

"BE IT RESOLVED, by the League of California Municipalities in convention assembled, that the certain act of the Legislature of the State of California, entitled 'An Act limiting the liability of supervisors, city trustees, city councils, boards of education and school trustees, and making counties, municipalities and school districts liable for the negligence of their respective officers in certain instances and providing for the payment of costs of actions in certain instances,' approved June 13, 1923, is unsound in theory, and inequitable in fact;

"AND BE IT FURTHER RESOLVED, that the League of California Municipalities respectfully urges its repeal by the Legislature at its next session."

MR. KIRKBRIDE (Presiding): Will the proponent of this resolution make the motion in regard to it?

MR. LOCKE (Executive Secretary): The committee has recommended the adoption of this resolution.

A DELEGATE: What is the title of the resolution?

MR. LOCKE (Executive Secretary): There is no title on it. It is a resolution directed against that part of the statute of 1923 which makes city officials, supervisors, trustees, boards of education, and school trustees liable for the negligence of their respective officers in certain instances and providing for the payment of costs of actions in certain instances, approved June 13, 1923; that this is unsound in theory and inequitable in fact, and resolved, that the League of California Municipalities respectfully urges its repeal by the Legislature at its next session. This is one of the resolutions you have been urged to adopt by the unanimous report of the committee.

MR. WRETMAN (Sunnyvale): I move its adoption.

MR. GRAVES (Hanford): Let us hear from the committee.

MR. KIRKBRIDE (Presiding): Can we hear from any member of the committee?

MR. SHINN (Sacramento): I am not familiar, you might say, with the reasons given by the interests which presented that resolution; I personally am not particularly interested in the resolution itself except that I can see no harm in it and I am not prepared to criticise or comment on the resolution. The language of the resolution is that the act in question is unsound in principle. I think that the statement of the situation possibly will throw some light on it. I am unfamiliar with reference to it. Under the old rule—you understand the common rule—municipalities and counties and school districts and utilities of like character are exempt from liability for the negligence of their officials. As I understand it—and I may be mistaken with reference to it—I think I have never given it any particular attention, but I think it covers those grounds. It makes the governmental agency itself responsible for the negligence of its servants. That principle is opposed to the sources of government. It is opposed to the old principle of common law which has come down through the ages and establishes an arbitrary rule and which is not based on sound reasoning. Now, you can see the theory: It passes upon the taxpayer the burden for answering for the negligence of a servant or agent and for which the municipality is under the old rule not responsible. It adds one more burden for the taxpayer. It creates a new rule from the old rule and is not properly—I can't get the exact term, but it is not in harmony with the principle of our government.

There is no reason why the agent, if he is negligent, should not bear the

burden, and viewing it in the present form, why, it is a burden on the government and causes more difficulty, and it is difficult enough at the present time.

MR. GRAVES (Hanford): I am not thoroughly informed of the reasons with respect to the resolution, but I believe I remember the motive for the enactment of that statute in 1923, that it was due to an accident that happened on the school grounds in one of the schools in California, and the trustees individually were held responsible to the parents of a child for this accident in a suit for damages. Immediately a number of school trustees throughout the state resigned their jobs and said, "I am not going to act as a trustee if a kid gets hurt, and I am to be personally responsible; and there is no money attached to the job and I will resign." And that, I believe, was the motive for the enactment of this legislation; that was why this bill was enacted. Now, if you are not going to wipe that out you are going to have trustees resigning. Men can't go on working for love and at the same time be held personally responsible for an accident to a kid.

MR. KIRKBRIDE (Presiding): Is there any further discussion?

MR. MULTER (Arcadia): As a trustee serving for \$10 a month I will object to being held personally responsible for personal injuries to anyone. I think the other officials who are acting for the public without salary are not willing to accept that responsibility. I think the taxpayer should bear all burdens of that kind; and I think the resolution ought to be referred to the legislative committee without recommendation.

MR. KIRKBRIDE (Presiding): Do you make a motion to that effect.

MR. MULTER (Arcadia): I move that the matter be referred to the legislative committee without recommendation. Some gentleman moved that the resolu-

tion be referred to the legislative committee, and I move that it be referred to the legislative committee without recommendation.

MR. GRAVES (Hanford): I second the motion.

MR. KIRKBRIDE (Presiding): It is moved and seconded as an amendment to the original motion that the subject matter be referred to the legislative committee without recommendation, leaving it to that committee to make such recommendation as it sees fit.

MR. SHINN (Sacramento): I want to explain the attitude of the resolution committee. We assumed, of course, that the proponents of this resolution would be here to explain it. We saw no objection on the face of it, and the committee presented it to this body for that reason. If we had anticipated that no one would be here to explain the motives behind this resolution it is more than likely we would not have recommended its adoption.

MR. KIRKBRIDE (Presiding): I take it that this will be more or less postponed action on the resolution, because that will be referred to the legislative committee and no action taken on it until we hear from the committee. So, you will understand, this motion kills the resolution so far as immediate action is concerned.

MR. MALCOLM (Palo Alto): Since the early history of California our laws and the decisions of our Supreme Court have been pretty uniform and this subject is covered pretty thoroughly in the decisions of our Supreme Court. I see no reason for the adoption of this resolution without full consideration of the effect it is going to have on the decisions of the Supreme Court of the State of California and upon the official or officials who are going to be hit, and who is not going to be hit. I don't fully understand it myself, although I may not understand at this time what effect it is going to have on the laws that have already been promul-

gated. Therefore, I am in favor of postponing action on the resolution at this time, and I second the motion with that understanding.

MR. KIRKBRIDE (Presiding): The question is, upon referring the resolution to the legislative committee, which is in effect laying it on the table as far as this convention is concerned. Are you ready for the question?

(A vote was taken.)

MR. KIRKBRIDE (Presiding): The motion is carried and the resolution will be referred to the legislative committee without recommendation. We will take up the next resolution.

MR. LOCKE (Executive Secretary): Resolution Number Six is in substance a request from the City Manager's Section requesting representation on the Executive Committee. It was published in full in the August number on page 297.

MR. KIRKBRIDE (Presiding): As chairman of that committee I move the adoption of that resolution. You have heard the motion. Is there any discussion? If not, the motion goes before you.

MT. POSTLETHWAITE (San Bruno): As I gather from the reading of the resolution the City Managers Section is not now represented on the executive committee and this resolution asks that the City Managers be represented on the executive committee. I would like to ask if it is not a resolution calling for action on the part of this body.

MR. SHINN (Sacramento): The City Managers Section is not now represented on the executive committee and they seek such representation. They ask that the City Manager who is elected as President of the City Managers Section be given a place on the executive committee, and I move that we endorse the subject matter of the resolution.

MR. KIRKBRIDE (Presiding): Is there any further discussion? If not, the motion goes before you.

MR. LAUX (Santa Barbara): Isn't that a question of just natural procedure, that when anyone is elected head of any one of the various sections, that he becomes a member of the executive committee of the League?

MR. LOCKE (Executive Secretary): That is the provision in our constitution.

MR. LAUX (Santa Barbara): It seems to me then it is unnecessary for this body to endorse that resolution if that provision is already made.

MR. LOCKE (Executive Secretary): I haven't the constitution before me at this time but if I may be permitted to recall, there is a provision in our constitution to the effect that the gentleman who is elected a head of a department—and we have five—becomes an ex-officio member of the executive committee. I do not know whether the constitution provides for recognizing the City Managers Section to that extent, but this resolution recommends that action be taken by this body looking to that end. If this resolution is found not to be in accord with our constitution I will undertake to prepare an amendment to the constitution and present it for passage at the next convention; but if we find that can be done on adoption of the resolution, that will be done.

MR. KIRKBRIDE (Presiding): The motion is that we endorse the subject matter of this resolution. Are you ready for the question?

A VOICE: Question.

(The motion was voted and unanimously carried.)

MR. KIRKBRIDE: We will take up the next resolution.

MR. LOCKE (Executive Secretary): Resolution Number 7 is an indorsement of the proposed statute to provide for public health districts. (It was published in full on page 337 of the September number.)

MR. KIRKBRIDE (Presiding): You

have heard the resolution. Does the proponent move its adoption?

MR. KENNEDY (San Francisco): Speaking for Mr. Orbison who was called away this morning and asked me to appear on the floor in his behalf. This resolution was prepared by Mr. Orbison at the request of the Engineers, Councilmen, and Street Superintendents following the session of Monday afternoon, and the subject matter was at that time very thoroughly discussed. I appear here as the representative of Mr. Orbison in making the motion for this resolution and I might say that the joint committee of the American Society of Engineers from San Francisco and Los Angeles has had under discussion this project for some time as it has been presented before this organization, and we ask your endorsement of legislation necessary to effect the purposes herein set forth, to the end that such legislation shall be enacted.

Therefore, I move the adoption of this resolution.

A DELEGATE: I second the motion.

MR. KIRKBRIDE (Presiding): Is there any discussion on the motion?

MR. ARCHER (Alhambra): Mr. Chairman, in listening to that discussion last Monday afternoon it appealed to me that in the forming of this commission which is going to study and collect data on all the subjects mentioned in this resolution, as it was seen, the legislative section or committee in this body would feel it would be legal to do so, that the State Street Commission and the State Health Board be combined, with any outside help necessary, in the creation of this commission. The idea I have is this: We were given to understand that the State Street Commission is in very good shape financially. As to the State Board of Health, I don't know just what their situation is, but when we create the commission we are going to create several high salaried officials and add a new bur-

den on the taxpayer. Now, if the State Street Commission is well off financially and there is some means of paying them—paying any such a body as this—and using some of the funds of the street commission, it seems that is a way we can get out in the open field and create a new commission. It seems to me that the matter should be referred to the legislative committee of this body with instructions to look up the matter and so forth and see if it cannot be worked out on that basis.

MR. UNDERHILL (Glendora): I would like to ask, Mr. Chairman, or the secretary, whichever it might be, if we pass this resolution, technically speaking, it does not go to the legislative committee as long as it only refers to proposed legislation. In that case it would be referred to them and if they found it difficult they would refer it back for further action; is that it?

MR. LOCKE (Executive Secretary): Do you request me for an answer?

MR. UNDERHILL (Glendora): Yes.

MR. LOCKE (Executive Secretary): I will state, Mr. President, in accordance with the present practice, the legislative committee has very wide discretion in all matters pertaining to legislation, and it would naturally extend to every resolution and the amendments of any existing legislation. That, necessarily, has to be the case.

MR. KENNEDY (San Francisco): Speaking once more, Mr. Chairman, it was brought out—and I want to be fairly understood—that the Engineers, and, I think, the other city officials who were present, other than Engineers who are close to the problem are not interested in the machinery by which the funds may be secured. They are far more interested in the results we can secure. For that reason the resolution presents no specific bill. It would certainly be important that this should be taken up by the legis-

lative committee and all interests affected should be thoroughly investigated with reference to the methods by which this matter can be carried on.

MR. KIRKBRIDE (Presiding): You have heard Mr. Kennedy's explanation of the bill. It relates more to the subject matter than the details of how it should be accomplished. Is there any further discussion? If not, the motion goes before you.

(The motion duly seconded was unanimously carried.)

MR. LOCKE (Executive Secretary): Resolution Number 8. (Note—This was a resolution suggesting that a permanent department of the league be created for City and Regional Planning.)

(Note—The resolution was published in full in the August number on page 298.)

MR. KIRKBRIDE (Presiding): There is a notation that there were 51 delegates present at the conference, representing about 20 cities. The resolution is one of the other resolutions approved by the resolutions committee.

MR. McNITT (Los Angeles): I take great pleasure in presenting that resolution and move its adoption.

City Planning has been one of the recognized topics of this convention. A great many more cities of this state are going to be legislating into existence City Planning Commissions. We have our distinct problems, as well as problems for the general body, and we feel—those of us that are here and who are closely allied with City Planning Commissions, that the time has come when such an organization as this should be identified with the League.

MR. WHITNALL (Los Angeles): I second the motion and I would like a word in favor of the resolution. I favor the resolution because City Planning is today one of the important features in Municipal Government and inasmuch as this conference on City Planning has been

meeting with this League for a number of years, anything that will bring closer relations between City Planners and this organization should be adopted, and while this was discussed before the City Planners before two sessions yesterday they all feel that a definite section of the League should be established.

The City Planning Conference will be continued and maintained and followed as far as possible.

MR. MASON (San Francisco): May I at this time just offer a thought that goes through my mind? The organization of this League is rather peculiar and from time to time we have been creating additional sections. This thought occurs to me, that if we go on creating separate divisions for every particular subject that comes up then the scope of our functions and sections will be so diversified and so many in number that we will have no particular subject of interest to any other body. Now, it strikes me that the subject of City Planning is one that concerns itself with all our departments—our registration department, clerical department, engineering department are all more or less engaged in the work of City Planning. To set up at this time another division with exclusive powers, you might say, concerning City Planning, would that not be to some extent weakening the entire organization? I am not particularly opposed to the resolution; I am perfectly willing to accept whatever the convention decides to do, but I present that thought because I have been connected with the League for a good many years and think perhaps we have just about reached the limit of our capacity with regard to individual sections. It is very difficult to hold our attention to the main work of the League through its general organization when we encourage the scattering of our affairs and split them up into so many departments.

MR. LOCKE (Executive Secretary):

I expressed the same doubt when this matter was first called to my attention and I told the proponents of the proposition how our program was made up. I called their attention to the fact that at this time it was made up in response to ballots sent out, containing a list of subjects and requesting City Officials to vote on those subjects and thus inform the program committee just what they wanted discussed. The records showed that the subject of zoning was of greater interest than any other subject, and apparently the City Officials, far and wide, from one end of the state to another desired that we take that subject up before all others. We found also that the question of establishing set-back lines was one of the subjects which received a great number of votes. So I feel as Mr. Mason does, that there is some question about the advisability of making any further division of our meetings. Delegates will criticize the way in which the program has been arranged, and say "I came here to hear a discussion on this particular subject; at the same time I want to hear a discussion on another subject, but I find, in order to hear these two subjects discussed—I find it necessary to be present in two different places at the same time." So I feel there is some doubt as to the advisability of another section in our organization. The returns from the ballots sent out show that the subject of City Planning is one concerning all city officials and all want to be present when questions concerning city planning are discussed.

MR. POMEROY (Los Angeles): I would like to point out, first of all, that the request embodied in the resolution was concurred in by 51 delegates of the convention representing 20 cities who have found the need of a special section on City Planning. I would also point out the fact that in spite of the number of city planning topics of the program, which

is, of course, an excellent thing to have done, there were delegates who came here specifically to attend the conference or session of City Planners, which, by reason of their having no official connection with the League, had no official time set co-ordinating with the League program and it was only by taking the bull by the horns and calling a meeting of that section yesterday it was possible to get the session together at all, and until such time we were not able to get time assigned to us. There were about a dozen people who became very much dissatisfied. There were 51 delegates gathered here all deeply interested in the problems of and discussion of City Planning papers.

There is general interest shown in general topics of City Planning, as to placing this subject on the program and the interest taken in detailed technical problems of City Planning, and a general discussion of the legal aspects and theory of zoning; the theory of set-back lines; the adoption of official plans are matters of interest to every city official and such matters as public health, matters affecting the State Highway system, which, while they have every ear-mark of specialized schemes, are of general interest. These topics are of general interest to the entire League. But since the time this League was founded there have been a large number of City Planning Commissions organized. We have about 25 such commissions in Los Angeles County and they are rapidly increasing and the members of these commissions desire to get together and discuss detailed, technical, subjects which are of no interest to the general session; to discuss details of procedure, applications and intimate details that the other sections have no interest in, and, likewise, discussing, as do the City Attorneys, matters of legislation. Particular interest in the progress of Regional Planning in the State which work can only be done by a small group—interest in that subject alone can only be

created by making their efforts co-ordinate with the regular machinery of the League for the accomplishment of this purpose.

MR. WHITNALL (Los Angeles): I think that Mr. Locke in his negative remarks has made probably the most potent argument for this move that could be made, in his reference to the fact that when the ballot was sent out the subject of City Planning was foremost. That indicates a general interest in the subjects which at the moment are occupying the minds of our city officials, and if it is the feeling of any delegate or any official that the creating of a separate section would deprive the general body of discussions of those phases of City Planning which are of general interest, I think I can assure everybody that that is not the case. I am perfectly willing, individually, and with Mr. McNitt's help to provide a program that will carry through all four days of any Annual Convention.

MR. KIRKBRIDE (Presiding): I guess we will all admit that, Mr. Whitnall.

MR. WHITNALL (Los Angeles): As Mr. Pomeroy says there is such a general interest in the broad subject of City Planning as to suggest its recognition at this time by the League as a whole. Now, if the League as a whole through its general session desires to devote its time to our individual discussion of these technical details which are as a rule not interesting to the average person, I take it we would be agreeable to it; but to come here and listen to one or two discussions during a part of a session and then run around like lost fleas on the bodies of other sessions until we can *get* time, is not particularly liking to us. We all have problems of our own. We would like to get together in a session of our own and discuss those things which are of particular interest to us and then leave to the general session those things which are of general interest.

Now, along that line of thought, if it is the opinion of the League that they desire to have the City Planning activity, which is daily increasing in municipal endeavor, have an entirely separate organization, and a separate convention, I guess maybe we will have to do it, but the very fact that there has been this wide interest shown in the topic of City Planning and Municipal Government, there should be a place in the organization of the League where the City Planners will be recognized with other branches of municipal endeavor.

I take it, there is a diversity of interest between the branches of this League, and yet we are all more or less interested in the same problems so far as Municipal Government is concerned. As we will have these conference meetings we will become—speaking of the California City Planning Conference—distinct from the League. There is nothing to prevent the members of that organization from meeting apart from the League, and you have that chance, as a whole; and there is nothing to prevent that organization becoming a part of this League where they can discuss those things which are pertinent to the individual members of this league. Why not have a section of this League for the City Planners and let it be a general part of it and have a program where we can get off on the side, as the other sections do, and feel we are all the time a part of you, and at the same time go into and discuss those technical details which we know you, as a body, are not interested in.

MR. KIRKBRIDE (Presiding): Let us hear from Mr. Mason.

MR. MASON (San Francisco): I want to say this: Sitting here I have become philosophic and I want to say that if this thing should be divided and we should be deprived of the eloquence and wisdom of our friends, Mr. Pomeroy and Mr. Whitnall we would be making a very serious

mistake in failing to adopt this resolution. I am glad I voiced what I did; otherwise we would have lost the opportunity of hearing from them.

MR. KIRKBRIDE (Presiding): The motion goes before you. Are you ready for the question?

MR. WHITNALL (Los Angeles): Question.

(A vote was taken on the motion as seconded and was unanimously carried.)

MR. KIRKBRIDE (Presiding): We will have the separate section. We will take up the next resolution.

MR. LOCKE (Executive Secretary): Resolution Number 9 is as follows: (Reading.)

“RESOLVED, that the California League of Municipalities hereby endorses and urges the passage at the coming session of the Legislature of the legislation embodied in the Bill which was introduced and failed of passage at the last session of the Legislature, commonly referred to as The Metropolitan Water District Bill.”

MR. KIRKBRIDE (Presiding): Will Supervisor Todd make a motion with reference to this resolution?

MR. MASON (San Francisco): Mr. Chairman, I represent Mr. Todd and I move the adoption of the resolution.

MR. SHANNON (San Francisco): I second the motion.

(The motion was unanimously carried.)

MR. LOCKE (Executive Secretary): Most of the other resolutions are short. Number 10 is as follows: (Reading.)

“RESOLVED, that it is the sense of this convention that the exhibits of Municipal machinery and supplies are a valuable adjunct to the annual conventions, and the exhibitors are commended for their efforts in making their displays as educational as possible;

“RESOLVED, further, that at all future conventions at least one hour during the convention shall be allotted to the exhibitors for a review of their dis-

plays during which time no meetings shall be in session."

MR. KIRKBRIDE (Presiding): Is there any motion in regard to the resolution?

MR. SUNDERLAND (Fresno): I move you the adoption of this resolution.

MR. JENSEN (Fresno): I second the motion.

MR. KIRKBRIDE (Presiding): Is there any discussion? If not, the motion goes before you.

(Motion was unanimously carried.)

MR. LOCKE (Executive Secretary): Resolution Number 11 is as follows: (Reading.)

"RESOLVED, that the thanks of this convention, be and they are hereby extended to the many organizations and individuals who have contributed to the convenience and entertainment of the convention and its members at the meeting now closing; particularly are we grateful to the Chamber of Commerce of the City of Merced and its efficient Manager,

Mr. A. R. Linn, also the officials and members of the Federal National Park Service, located at Yosemite and to the press of the City of Merced."

MR. LOCKE (Executive Secretary): Before submitting this, Mr. Chairman, I will ask the committee if they will include the Yosemite Park and Curry Company?

MR. SUNDERLAND (Fresno): We will include that, yes; and I ask that the secretary be authorized to reframe the resolution.

MR. KIRKBRIDE (Presiding): You have heard the motion; are you ready for the question?

VOICES: Question.

The motion was unanimously carried and the resolution as amended reads as follows:

"RESOLVED, that the thanks of this Convention, be and they are hereby extended to the city officials of Merced and the many organizations and individuals who have contributed to the

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convenience and entertainment of the convention and its members at the meeting now closing. Particularly are we grateful to the Chamber of Commerce of the City of Merced and its efficient Manager, Mr. A. R. Linn, and his staff and assistants, also the officials and members of the Federal National Park Service, the Yosemite Valley Railroad, and the Yosemite Park & Curry Company.

"RESOLVED, also, that we extend our sincere thanks to the Sun-Star of Merced and other newspapers for their publicity of the meeting."

MR. LOCKE (Executive Secretary): Resolution Number 12 is as follows: (Reading.)

"RESOLVED, that this convention hereby approves the suggestion of President Moody that a prize be offered by the League of California Municipalities to the High School student writing the best essay on municipal government, and the Executive Committee of the League is hereby authorized and directed to provide for a competition along the lines suggested by President Moody."

MR. SUNDERLAND (Fresno): I move the adoption of the resolution.

MR. JENSEN (Fresno): I second the motion.

MR. WRIGHT (San Diego): Mr. Chairman, I move an amendment to the motion before the house that the thanks of this League be given to Mr. Moody for the first cup of this kind to be offered.

MR. SUNDERLAND (Fresno): Can't that be included in the resolution? If so, I make that motion.

The motion, duly seconded, was unanimously carried and the resolution as adopted, reads as follows:

"RESOLVED, that this Convention hereby approves the suggestion of President Moody that a prize be offered by the League of California Municipalities to the High School student writing the best essay on municipal government, and the Executive Committee of the League is hereby authorized and directed to provide for a competition along the lines suggested by President Moody.

"RESOLVED, further, that the thanks of the League be extended to President Moody for his kind offer of a silver cup as the first prize under this proposition."

MR. KIRKBRIDE: We will take up the next resolution.

MR. LOCKE (Executive Secretary): There are only two more. Resolution Number 13 reads as follows:

"RESOLVED, that this Convention does hereby endorse the viewpoint expressed in the address of President Moody with reference to the inefficiency of the Railroad Commission of the State of California, occasioned by the inadequacy of the funds at the disposal of the said Commission which has resulted in an inability on the part of the Commission to properly investigate issues arising between the citizens of the State and the utility corporations, and it is the sense of this Convention that the policy which now exists of hampering the work of the Railroad Commission be changed or that steps be taken by the next Legislature looking toward the reconstruction of the

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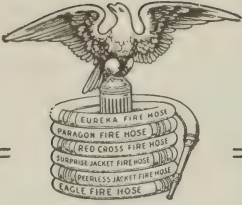
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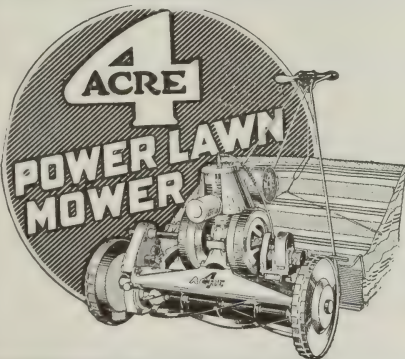
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public utility laws in order that the said Commission may be able to efficiently perform the functions for which it was created."

MR. KIRKBRIDE (Presiding): Is there any motion on this resolution?

MR. SUNDERLAND (Fresno): I move the adoption of the resolution.

(The motion was seconded.)

MR. KIRKBRIDE (Presiding): You have heard the motion. Is there any discussion? There seems to be none. Are you ready for the question?

(The motion was unanimously carried and the resolution adopted.)

MR. LOCKE (Executive Secretary): The next resolution is as follows: (Reading.)

"WHEREAS, there is to be submitted to the voters of California at the general election next November, a proposition, known as Proposition Number 4, under the terms of which it is proposed to increase the present gasoline tax from two cents to three cents;

"AND WHEREAS, under this measure all of the proposed increase, which will amount to between eight and ten million dollars annually, is to be devoted to the construction of state highways;

"AND WHEREAS, more than two-thirds of the motor vehicles owned and operated in California are owned in the cities of the state and operated primarily on the streets of these cities all of which are constructed and maintained by the cities and their citizens by taxes or assessments upon their property, which taxes and assessments are in many cases necessarily extremely heavy in order to care for traffic which frequently is of little, if any, benefit to the property owners taxed or assessed therefor.

"AND WHEREAS, the proposed measure while making provision for an ever expanding system of state highways, wholly ignores the much more pressing problems of financing of city street con-

struction and maintenance and the relief of the ever increasing traffic congestion on city streets and not only ignores the glaring inequities in the distribution of the taxes received from motor vehicle owners which now exist under the present laws, but is so drawn as to render it impossible for the legislature to alter the situation in so far as the proposed increase is concerned during the next twelve years.

"AND WHEREAS, the available sources of revenue from taxation would be seriously, if not wholly depleted, by the proposed measure without making any provision for city streets either now or in any near future.

"AND WHEREAS, the constitution of California provides that the expenses of state government should be borne from taxes on the gross receipts of public utility corporations so that proposed gasoline tax increase is, in effect, a relief from taxation of such corporations and a placing of this burden of paying for the cost of state highway construction on the individual motor vehicle owners as well as of maintaining them as at present and who might otherwise be justly asked to contribute to the cost of city streets.

"NOW, THEREFORE, BE IT RESOLVED, by the League of California Municipalities in regular session assembled at its annual convention held in Yosemite Valley, August 16 to 20, 1926, that this League discourages any legislation which does not equitably protect municipalities in the distribution of State Highway Funds and inasmuch as proposition No. 4, on the November ballot does not so provide, we recommend additional legislation be enacted to correct the above situation; and be it further resolved that copies of this resolution be sent to every municipality in California in order that its citizens may be advised as to the views above expressed."

MR. LOCKE (Executive Secretary):

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No upkeep costs.

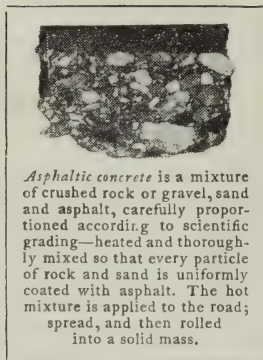
Here are illustrations of three asphaltic concrete pavements that outlived their bond issues. These pavements have *now* given over ten years of service, *without a cent of upkeep cost*—and, they are all *still* in excellent condition.

These are only three out of the scores of asphaltic concrete pavements on the Pacific Coast that have outlived their bond issues.

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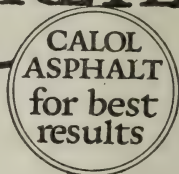
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This resolution was submitted by Mr. Goodwin.

MR. KIRKBRIDE (Presiding): You have heard the resolution; is there any motion in regard to it?

MR. GOODWIN: I move the adoption of the resolution.

(The motion was seconded.)

MR. LOCKE (Executive Secretary): That completes the report.

MR. KIRKBRIDE (Presiding): Gentlemen, that concludes the report of the resolutions committee and we have disposed of all the resolutions before us. We have a few moments left. What is your pleasure?

MR. MALCOLM (Palo Alto): It will be remembered, Mr. Chairman, that previous to the last session of the legislature this convention endorsed a number of amendments which were not mentioned in this resolution. It will be remembered that we did not only do that, but similar to last year, at our last meeting down south we found that most of those constructive bills which we had previously endorsed did not receive the approval of the governor although many of them passed the legislature by a large majority. There are a number of these bills which are important which haven't been specifically called to the attention of this convention, so I would like to move you, Mr. President, that those measures that we had under discussion at the last meeting of the legislature be referred to the legislative committee of this League for consideration and presentation to the next Legislature all of those measures which they deem to be the most important and necessary.

MR. CARROLL (Alhambra): I second the motion.

(The motion was unanimously carried.)

MR. KIRKBRIDE (Presiding): Now is the nominating committee ready to report?

MR. CARROLL (Alhambra): I would like to offer one motion before we get too far. I move that the rules of this organization governing elections be amended to provide that in casting a ballot the delegate so doing must rise and give his name and the City he represents so that the same may be made a part of the record. Yesterday when we voted on the selection of next year's convention place there were no names given and we don't know who voted.

MR. KIRKBRIDE (Presiding): I think the motion is entirely out of order if it refers to the election of yesterday. The vote was cast by cities, members of the League. Why the individual voter should give his name, I can see no good reason why that should be done. It would be cluttering up the record and there is no necessity of that, but you knew the city was voting as a city. The delegates arrange that between themselves and cast their vote through their spokesman.

MR. JENSEN (Fresno): I think the gentleman who just spoke must realize if that procedure were followed, it would interrupt the procedure of this convention and use up too much time to vote when it takes quite a while to get the voting over. This convention is not particularly interested in knowing whether Bill Jones voted or whether John Smith voted for his city. All we want to know is that the city voted.

MR. POSTLETHWAITE (San Bruno): Mr. Chairman, I think that the motion, while it may be proper in spirit, and undoubtedly is, it would not serve the purpose it is intended to, and I think the present machinery is adequate. If anyone has any idea anyone else is voting for a city and is not authorized to do so, he surely has a right to demand an explanation and find out whether that

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person is a properly registered delegate from the city for which he is voting. As things are now, I think we are a great deal better off and it would make it much simpler to continue as at present. As I understand it, you would have to call the entire roll and then the voter would have to give his name and the city which he represents, as well as the name of all the other delegates from that city.

MR. KIRKBRIDE (Presiding): The motion is before you, gentlemen.

MR. LOCKE (Executive Secretary): There is no second to the motion.

MR. KIRKBRIDE (Presiding): We will vote on the motion anyhow.

(The motion was lost.)

MR. KIRKBRIDE (Presiding): Have we the report of the auditing committee?

MR. LOCKE (Executive Secretary): Just before noontime I was handed the report of the auditing committee which reads as follows (Reading):

"REPORT OF THE AUDITING COMMITTEE

"Camp Curry, Yosemite, Calif.

"August 17, 1926.

"The League of California Municipalities in 28th Convention assembled.

"We, your Auditing Committee have examined the books of the Treasurer and report that we find the accounts correct.

"The receipts and disbursements from October 1, 1925, to July 31, 1926, were as follows:

Balance on hand October 1, 1925.....	\$2,247.22	
Receipts:		
Dues.....	\$4,735.00	
Contributions for		
Magazines.....	245.00	
Refunds.....	211.57	5,191.57
Total Receipts		
Cash resources.....		\$7,438.79

Disbursements:

Salaries, Officers. \$2,700.00

Salaries, Clerical. 2,076.65

Expense, Long Beach Convention..... 479.64

Office Rent..... 740.00

Office Expense..... 303.72

Telephone & Telegraph..... 241.35

Postage..... 291.49

Stationery & Printing..... 53.50

Books..... 27.40

Bar Association Dues..... 18.00

Committee Expense..... 2.50

Total Disbursements..... 6,934.25

Balance, July 31, 1926..... \$ 504.54

"We learn that there is an additional sum in the hands of the Executive Secretary derived from rentals of exhibition space, deposited in a separate account, the details of which were not at hand for examination. We would recommend that a special convention Fund be established and maintained for the purposes set forth in the recommendation by the Department of Clerks, Auditors and Assessors to the Committee on Resolutions and that the books and records of account of the Executive Secretary be presented for audit by the Auditing Committee annually.

"We would further suggest that the Executive Secretary report annually the assets belonging to the League, which are under his care, in order that future auditing committees may reconcile this with the previous report and additions during the year according to the Treasurer's books, thus avoiding the necessity of carrying an elaborate set of books,

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"Respectfully submitted,

GEO. H. WOOD,
H. IVOR THOMAS,
A. J. VAN WIE,
Auditing Committee."

MR. BARZELLOTTI (Lodi): I move that the report of the auditors may be approved and placed on file.

(On motion duly seconded and voted upon, it was unanimously carried.)

MR. BECK (Long Beach): San Bernardino showed such a fine spirit when it lost the convention for 1927 and I move that it be the sense of this body and that we place ourselves on record at this time as favoring San Bernardino for the 1928 Convention.

MR. MALCOLM (Palo Alto): I don't think that motion is in order, Mr. Chairman.

MR. KIRKBRIDE (Presiding): The motion is that we favor at this time San Bernardino as the next meeting place of the convention for 1928.

MR. SUNDERLAND (Fresno): Has this convention any right to tell where this convention is going to meet in 1928? It seems to me that that is a matter which should be left to the discretion of the 1927 convention.

MR. HOLCOMB (San Bernardino): We appreciate very much the sentiment which prompted Mr. Beck in making his motion. We feel, however, it would not be proper for this convention to bind a succeeding convention because I know there are a lot of elective officials here who might not be at the succeeding convention. I therefore promise you we will be in Sacramento in full force and that we will probably have a barrel of beer as Supervisor Shannon suggested yesterday, or something else that will be high-powered enough and we shall extend you all an invitation to be with us in 1928.

MR. KIRKBRIDE (Presiding): Do you insist on your motion?

MR. BECK (Long Beach): No, I withdraw the motion.

MR. KIRKBRIDE (Presiding): The motion is withdrawn. I take it that you gentlemen are interested in the next officials of this League, but we apparently don't have the report from the nominating committee.

MR. LOCKE (Executive Secretary): Yes, we have, Mr. Chairman.

MR. DENTON: I will give the reporter a rest. It is too short and I will read it and give him a copy of it.

The report of the nominating committee is as follows:

"REPORT OF THE NOMINATING COMMITTEE

"To the 28th Annual Convention of the League of California Municipalities:

"We, your Nominating Committee, respectfully make the following report and recommendation:

"For President of the League, for ensuing year, we present the name of Dr. John J. Sippy, Health Officer of Stockton.

"In presenting Dr. Sippy's name we are actuated partly by his unquestioned qualifications for the position, but mainly in order to do justice to the Division of the Health Officers' Section of the League.

"During the entire existence of the League the Health Officers' Division has been one of the most important if not actually the most important Section, and its work is constantly growing. During this entire period no Health Officer has been honored with the position of President of the League, and we feel it is a fitting time to give it the recognition to which it is undoubtedly entitled.

"For Secretary-Treasurer, we take great pleasure in presenting the name of Mr. H. A. Mason, who needs no introduction, having been one of the founders

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of the League and who has served the League faithfully and well during its entire existence.

"The League in our opinion can do no better than to continue Mr. W. J. Locke as its Executive Secretary, and we present his name for that office. The ability of Mr. Locke and the value of his services to the League are too well known to require any comment from this committee.

"Respectfully submitted,

"THE NOMINATING COMMITTEE,

John V. Edy,

(Of the Managers' Section)

R. L. Shinn,

(Of the Attorneys' Section)

Alex M. Lesew, M. D.

(Of the Health Officers' Section)

H. G. Denton,

(Of the Clerks-Auditors-Assessors)

W. B. Hogan,

(Engineers, Councilmen, St. Supt.)"

MR. DENTON: In selecting Dr. Sippy, we picked the biggest man for the reason that he always brings his wife with him and therefore has a whole state behind him. We picked Mr. Mason, and we picked the best man we could find for that position. Also in connection with the Executive Secretary, we selected the man who, like Mr. Mason, has the interest of this League at heart, and he has given of his time and energy at all times in a sound and judicious manner, and I think that every member of the League and all the delegates present concur with me.

(Applause.)

MR. KIRKBRIDE (Presiding): I think we should congratulate the committee on its report and the manner in which it was offered. First, I declare in order the election of a president for the ensuing year. The committee has nominated Dr. John J. Sippy, Health Officer of Stockton. Is there any motion?

MR. SUNDERLAND (Fresno): I move

the adoption of the report, and I also move that the nominations be closed.

(The motion was seconded.)

(The motion that the nominations be closed was carried unanimously.)

MR. KIRKBRIDE (Presiding): Will someone move that the executive secretary cast a ballot for Dr. Sippy?

(It was moved and seconded that the executive secretary cast a ballot for Dr. Sippy as President of the League for the ensuing year. The motion was unanimously carried.)

MR. SUNDERLAND (Fresno): I would like to inquire whether the doctor carries his prescription book in his pocket all the time.

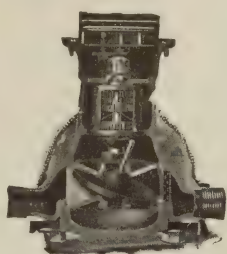
MR. KIRKBRIDE (Presiding): He probably does, but I think he is taking care of it for San Bernardino.

MR. LOCKE (Executive Secretary): I find only one vote cast for Dr. Sippy, of Stockton, as President of the League.

MR. KIRKBRIDE (Presiding): The chair declares him elected by unanimous vote. Mr. Denton, will you please escort the Doctor to the platform so we can see him?

(Dr. Sippy, the President-elect, addresses the convention as follows:)

DR. SIPPY (Stockton): Mr. Chairman and members of the League: I am glad that the nominating committee made it plain to you that they did not look into the personal qualifications of the nominee, because otherwise I might not be your president for the next year. I am not unmindful of the honor bestowed upon me, but I assure you that I did not expect it as a personal tribute, but rather as a tribute to that section of the League which has for so many years participated in your work. I want to assure you that I am going to do the best I can to fulfill the position. I do not expect to be as able as Mr. Kirkbride, but I am told that your executive secretary always furnishes the brains for the



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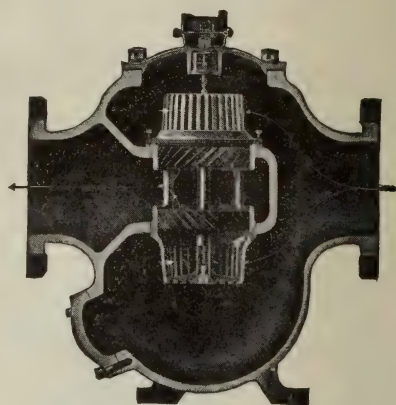
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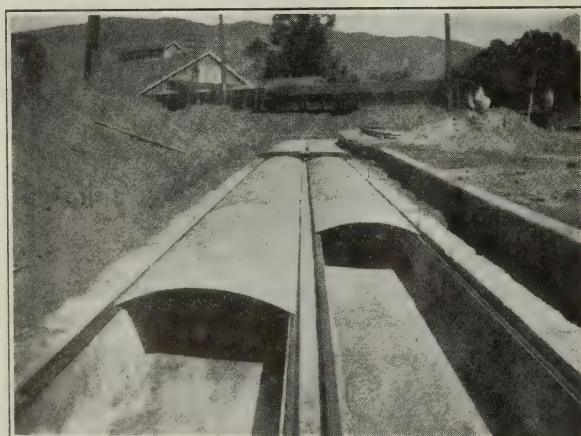
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president whenever he hasn't any of his own.

(Applause.)

MR. KIRKBRIDE (Presiding): The doctor is evidently ready to prescribe. It will be next in order to elect the executive secretary and the secretary-treasurer. The committee has nominated Mr. H. A. Mason of San Francisco as secretary-treasurer. We will fill that position first.

MR. SUNDERLAND (Fresno): I second the nomination and move that the nominations be closed.

(The motion was seconded and upon a vote was unanimously carried.)

MR. KIRKBRIDE (Presiding): A motion to have Mr. Locke cast a ballot for Mr. Mason will be in order.

MR. BARZELLOTTI (Lodi): I so move, Mr. Chairman.

MR. LOCKE (Executive Secretary): I have done that already. There is only one name on the ballot—H. A. Mason.

MR. KIRKBRIDE (Presiding): The chair declares Mr. Mason elected. We do not need anybody to escort him up here, so Mr. Mason you will please come forward.

MR. MASON (San Francisco): Gentlemen, this is sudden and unexpected and I am not prepared at this time to make a speech. I want to thank you just the same.

MR. KIRKBRIDE (Presiding): It will next be in order to elect an executive secretary.

MR. MASON (San Francisco): Let me do that.

MR. KIRKBRIDE (Presiding): Is there a motion to have Mr. Mason cast a ballot?

MR. JENSEN (Fresno): I move that the nominations be closed and that Mr. Mason cast a ballot for Mr. Locke.

(The motion was seconded and upon vote was unanimously carried.)

MR. KIRKBRIDE (Presiding): Mr.

Mason, have you cast a ballot for Mr. Locke?

MR. MASON (San Francisco): Turnabout is fair play. I have cast the ballot.

MR. KIRKBRIDE (Presiding): The chair declares Mr. Locke elected as executive secretary for the coming year. Mr. Locke.

MR. LOCKE (Executive Secretary): Like Brother Mason, this comes as a big surprise, so I feel it would not become me to make a speech at this time. I thank you for this expression of your confidence.

(Applause.)

MR. KIRKBRIDE (Presiding): I think the secretary has an announcement to make at this time.

MR. LOCKE (Executive Secretary): Request is made that immediately following this convention all delegates interested in City Planning will convene near the registration desk in order to organize that department of the League, and those of you who are interested are requested to be over near the registration desk immediately after the convention adjourns.

MR. KIRKBRIDE (Presiding): I understand some of the sections are going to meet this afternoon. Are there any other announcements?

MR. LOCKE (Executive Secretary): Nothing further.

MR. KIRKBRIDE (Presiding): Is there any further business?

MR. LINN (Merced): I want to take this opportunity to thank the members of the League for holding their convention here in Yosemite Valley, and I hope our promise came up to your expectation, and that you all had a good time.

(On motion duly seconded, the convention adjourned to meet at Sacramento next year.)

MR. KIRKBRIDE (Presiding): The convention stands adjourned, gentlemen.

PUBLIC HEALTH ENGINEERING ABSTRACTS

Treasury Department, Bureau of the Public Health, Washington

Refuse Disposal Practice in Six British Municipalities. John B. C. Kershaw, *Engineering News-Record*, Vol. 97, No. 14, September 30, 1926. pp. 536-539.

This article is a description of the processes of handling the refuse of five different British cities in destructor plants and land reclamation in the sixth. The trend has been to handle everything mechanically to reduce labor costs. Such mechanism requires power to operate, and this can usually be generated by the plant. The disposal of power to advantage has been a problem of many American cities.

The reduction of the volume of material to be consumed by the furnace has increased the plant capacity and decreased the volume of final residue. This is accomplished by a variety of screening and other salvage methods. Such salvage not only includes those materials commonly salvaged in America but extends to ashes, other fine dirt and the clinker removed from these.

The clinker is crushed, graded and sold for concrete aggregate. At one plant the graded clinker is used as aggregate for asphalt paving, the mix being prepared at the plant.—G. H. Hazlehurst.

My Experience in the Designing and Erection of a Refuse Disposal Plant. W. H. Sagar, *Cleansing Supt.*, Halifax. *Surveyor*, Vol. 69, No. 1791, May 14 and 21, 1926. pp. 491-492.

Difficulties which have been encountered in the operation of the salvage plant at Halifax and the means adopted for their elimination are outlined and discussed. The plant consists of fine and coarse screens, picking belt and Vegetable Gas Producer. The light combustible matter is effectively destroyed in the latter, the gas produced being burnt in crude state under boilers, the power generated being sufficient to operate the whole plant. The fine screenings are mixed with the contents of pail closets and disposed of as fertilizer.—Rudolph E. Thompson.

Garbage Disposal in Grand Forks, North Dakota. J. D. Turner, *American City*, Vol. 35, No. 1, July, 1926. pp. 41-42.

Due to protests of citizens living near the dumping ground, the city council of Grand Forks, N. D., let a contract for the construction of a garbage incinerator in August, 1914. The contract stipulation was \$1,500. Subsequently it was determined that one incinerator was too small, therefore two more larger units were built on force account at a cost of about \$1,900. Since the plant has been in operation there have been no complaints of any kind. A sketch showing dimensions and table of detailed costs is included in the article.—George N. McDaniel, Jr.

Sewage Purification—Real and Delusive. George A. Johnson. *American City*, Vol. 35, No. 2, August, 1926. pp. 197-200.

All sewage works have as their objectives: (1) The removal of the suspended matters from the raw sewage; (2) lowering of the putrescibility with the attendant offensiveness; and, (3) a reduction in the bacterial content. The first objective is imperative, the second almost so, but the third is always incidental. The statement is made that "never has the definite attempt been made on a practical scale deliberately to render the sewage of an American community innocuous to health as discharged into public waters later used for bathing or water supply." Attention is called to the fact that, while present day sewage treatment plants produce, on the average, "good" results, they do not consistently do so. Biological processes, upon which our present-day treatment processes are based, are influenced by the weather and by other factors, so that a dangerous degree of contamination takes place from all of them more or less frequently. No method of treatment has yet produced a sludge which is initially inoffensive, and which will remain so.

The author suggests the adoption and development of a treatment process not based upon bacterial processes, but mechanical throughout, depending for proper treatment solely upon efficient mechanical, chemical, and electrical processes, and final sedimentation. He states that such a process is not available, but does not tell what it is. Cost estimates for treatment by this method are given as \$15 to \$30 per million gallons per day.—W. A. Hardenbergh.

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